

Nixon Peabody LLP 1300 Clinton Square Rochester, NY 14604-1792 Robert W. Burgdorf Partner

T / 585.263.1333 rburgdorf@nixonpeabody.com

August 28, 2023

VIA FEDERAL EXPRESS AND ELECTRONIC MAIL

Zoning Board of Appeals & Planning Board Town of Barre 14317 West Barre Road Albion, New York 14411 Attention: Shellye Dale-Hall

RE: Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless' application (the "Application") to the Town of Barre (the "Town") for a Special Use Permit, an Area Variance, and Site Plan Approval to construct and operate a 170' wireless telecommunications facility (with 4' lightning rod) on property located at 14295 West Barre Road (Tax Parcel No. 106.-1-73.1) in the Town of Barre, Orleans County, New York (Verizon Wireless' "Barre Corners" site)

Dear Members of the Zoning Board of Appeals and Planning Board:

Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless ("<u>Verizon Wireless</u>") is a public utility and wireless telecommunications licensee of the Federal Communications Commission ("<u>FCC</u>"). To remedy service inadequacies in and around the Town of Barre, Verizon Wireless this Application to construct and operate a wireless telecommunications facility (the "<u>Project</u>") at 14295 West Barre Road in the Town of Barre, New York, Tax Parcel No. 106.-1-73.1 (the "<u>Site</u>").

The Site consists of a 100' x 100' parcel leased from the Frederick A. Daniels and Adrienne C. Daniels Irrevocable Trust (the "Landowner"). The Project would consist of the construction of a 170' lattice tower (with an additional 4' lightning rod) and wireless telecommunications antennas, associated exterior equipment cabinets, together with other site improvements, all as shown on the enclosed site plan prepared by Costich Engineering. (the "Site Plan").

The Site is located in the Town's Agricultural/Residential ("AR") zoning district¹. Pursuant to the Code of the Town of Barre (the "Code"), telecommunications facilities are permitted in the AR zoning district upon the issuance of Site Plan Approval and a Special Use Permit from the Planning Board (Code §§ 350-63; 350-88). Additionally, the 170' tower and additional attachment exceeds the AR zoning district's maximum height limit under the Code (which is 35' in the AR zoning district, except for agricultural storage facilities and airport structures, per Code § 350-22(E)(4)). Therefore, Verizon Wireless also submits this Application to the Zoning Board of Appeals for an Area (height) Variance.

Accordingly, please accept this letter and the following exhibits and enclosures as Verizon Wireless' Application for a Site Plan Approval, a Special Use Permit, and an Area (height) Variance:

<u>Exhibit A:</u> Completed Town-supplied application form(s);

Exhibit B: Project description;

Exhibit C: Applicable legal standards;

Exhibit D: Proof of Compliance with the Town's Site Plan Review Requirements, as

set forth in §§ 350-87 – 350-94 of the Code

Exhibit E: Proof of Compliance with the Town's Special Use Permit Requirements

for Telecommunications Facilities as set forth in § 350-63 of the Code;

Exhibit F: Proof of Compliance with Applicable Area Variance Standards as set forth

in §§ 350-74 – 350-75 of the Code;

Exhibit G: Radio Frequency search ring justification ("RF Justification"), with

propagation studies setting forth the need for the Project;

Exhibit H: Site Selection Analysis;

<u>Exhibit I:</u> Copy of Verizon Wireless' FCC licenses for Orleans County;

Exhibit J: Long Environmental Assessment Form ("Long EAF"), with visual

addendum;

<u>Exhibit K:</u> Verizon Wireless' Co-location Policy;

Exhibit L: Tower Removal Estimate;

<u>Exhibit M:</u> Proof of Landowner's Consent to this Application;

Exhibit N: Structural Report;

Verizon Wireless initially understood the Site as being within the Town's Residential zoning district, as represented on the Town's zoning map. On July 5, 2023, Shellye Dale-Hall, the Code Enforcement Officer for the Town, stated that the Town re-zoned the Site from Residential to AR, but had not yet updated the Town's zoning map. Thus, this Application assumes that the Site is within the AR zoning district.

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<u>Exhibit O:</u> Proof of Compliance with Federal EME Requirements;

Exhibit P: Photosimulation report;

Exhibit Q: Agricultural Data Statement and Notice, accompanied by a map with a list

of landowners within a 500-foot radius of the Site with Agricultural

landowners highlighted; and

Exhibit R: 11" x 17" copy of the Site Plan.

Also included with this Application are:

• Eleven (11) copies of this Application book.

Please notify us of the required fee for this Application.

Because the Project is located within the NYS Agricultural District #1, and is also within 500 feet of New York State Route 98 (Quaker Hill Road) and Orleans County Route 99 (West Barre Road), the Application must be referred to the Orleans County Planning Board pursuant to General Municipal Law § 239-m. Please refer this Application to the Orleans County Planning Board as soon as possible so that it may be reviewed at its September 28 meeting. An extra copy of the Application is enclosed for the referral.

Also, because the Site is within 500 feet of farm operations in an Agricultural District, as defined under Article 25-AA of the Agriculture and Markets Law, Verizon Wireless has submitted as Exhibit Q an Agricultural Data Statement pursuant to Town Law § 283-a. Section 283-a requires the Town to mail written Notice of this Application to the landowners identified in the aforementioned Agricultural Data Statement. Such Notice must include a description of the Project and its location, and it may be sent in conjunction with any other notice required for the Project. A copy of the proposed Notice is also attached to Exhibit Q.

We respectfully request that this Application be placed on the agenda for the September 11 Planning Board meeting and September 18 Zoning Board of Appeals meeting. In the meantime, should you have any questions or require additional information, please do not hesitate to contact me. Thank you.

Sincerely,

Robert W. Burgdorf

Agrica League

RWB/mkv Enclosures Zoning Board of Appeals & Planning Board Town of Barre August 28, 2023 Page 4

cc: Dustin Wyman, Network Building + Consulting Jeff Twitty, Esq., Nixon Peabody, LLP

TOWN OF BARRE APPLICANT ACKNOWLEDGEMENT

Date: 08/2	5/2023
Applicant:	Name: Bell Atlantic Mobile Systems LLC, d/b/a Verizon Wireless
	Address: 1275 John Street, Suite 100, West Henrietta, NY 14586
	Telephone: 585-263-1333 Nixon Peabody LLP, attorneys for Venzon Wireless, Robert W Burgdorf, Esq.
Subject Prop	erty: Address: 14295 West Barre Road
	Tax Lot No. 1061-73.1
Referred to Z	Coning Board of Appeals for:
X	Area VarianceUse Variance
unanticipated	all reimburse the Town of Barre for all engineering, legal, or other extraordinary or expenses incurred by the Town in review of the proposed action. The applicant shall town as expenses are incurred.
require an esc	expenses are estimated to be greater than \$1,000.00, the Zoning Board of Appeals will crow account be established in an amount determined by such Board. The escrow be replenished as expenses are paid by the Town. I will so comply to the extent such fees may be imposed on an applicant under applicable law.
All monies du	ue the Town of Barre shall be paid in full before issuance of any required permit OR (30) days of final action taken by the Zoning Board of Appeals.
Robert W. Nixon Peal	Burgdorf, Esq. body LLP or Verizon Wireless have read the above statement and agree to the terms and
observe A	
Kolat Brydiel	08/25/2023
Applicant's Sig Robert W. Burgd	nature Date lorf, Esq., Nixon Peabody LLP - Attorneys for Verizon Wireless

TOWN OF BARRE ZONING BOARD OF APPEALS APPLICATION

(See Instructions and Procedures Attached)

1. I (we) her	reby apply to the Zonin		, ,					
	X for Area Varia	nce	1	or a Use Va	riance			
Area Variance	e distance requesting:	N/A	_Front	N/A	Rear	N/A	Side	135' Heigh
Pursuant to Se	ection for the Town of I	Barre Zonir	ng Regula	ations: <u>350</u>)-22(E)(4)	· · · · · · · · · · · · · · · · · · ·		
								
2. LOCATION	N: Address 14295 W	est Bar	re Roa	ıd	Tax Lot	: No. 1061	-73.1	_
	Current Zoning: Agr	icultural /	Reside	ntial		_		
3. OWNER: F	Frederick A. Daniels and	Adrienne C	. Daniels	Irrevocable	Trust Tolonh	ono. N/A		
	ess: 14295 West Barre				Zip: 14			
	T: Bell Atlantic Mobile S						 4-2095	
	ess: 1275 John Street						1 2000	_
	obert W. Burgdorf, Esq., Nixo						 3-1333	
	ess: 1300 Clinton Squa							
If the applican	t is not the owner or if	there is an	applicar	nt/agent, pl	ease explain	:		
Applicant is the design	nated agent of Verizon Wireless. Veri	zon Wireless is le	easing the affe	ected property from	the owner (See Ex	khibit M - Proof of La	ndowner Conser	nt)
	BRIEFLY THE DETAILS O 170' (174' with lightnir					oses to con	struct an	<u>d</u>
SIGNATURE(s):		****			DATE:_			

TOWN OF BARRE PLANNING BOARD APPLICANT ACKNOWLEDGEMENT

Date:
Applicant: Name: Bell Atlantic Mobile Systems LLC, d/b/a Verizon Wireless
Address: 1275 John Street, Suite 100, West Henrietta, NY 14586
Telephone: 585-263-1333 Nixon Peabody LLP, attorneys for Venzon Wireless, Robert W. Burgdorf, Esq.
Subject Property: Address: 14295 West Barre Road
Tax Lot No. 1061-73.1
Referred to Planning Board for:
X Special Use Permit X Site Plan Review
Applicant shall reimburse the Town of Barre for all engineering, legal, or other extraordinary or unanticipated expenses incurred by the Town in review of the proposed action. The applicant shall reimburse the Town as expenses are incurred. Where such expenses are estimated to be greater than \$1,000.00, the Planning Board will require an escrow account be established in an amount determined by such Board. The escrow account will be replenished as expenses are paid by the Town. All monies due the Town of Barre shall be paid in full before issuance of any required permit OR
within thirty (30) days of final action taken by the Planning Board. Verizon Wireless will so comply to the extent such fees may be imposed on an applicant under applicable law.
Robert W Burgdorf, Esq. Nixon Peabody LLP I, Attorneys for Verizon Wireless have read the above statement and agree to the terms and conditions thereof.
Klad Bydal
Applicant's Signature Date Robert W Burgdorf, Esq., Nixon Peabody LLP - Attorneys for Verizon Wireless
Fee's paid

TOWN OF BARRE PLANNING BOARD

APPLICATION

(See Instructions and Procedures Attached)

Date F	Received:
I (we) hereby apply to the Town Board: X for Site Plan Review X for a Specific Plan Review Pursuant to Section for the Town of Barre Zoning Regulations: \$\\$350-	ecial Use Permit 63; 350-88
LOCATION: Address14295 West Barre Road Current Zoning: Agricultural / Residential	_Tax_Lot No1061-73.1
OWNER: Frederick A. Daniels and Adrienne C. Daniels Irrevocable Trust Address: 14295 West Barre Road	_Telephone:N/A _Zip:14411
APPLICANT: Bell Atlantic Mobile Systems LLC, d/b/a Verizon Wireless	
Address: 1275 John Street, Suite 100, West Henrietta, NY	_Zip:_14586
AGENT: Robert W. Burgdorf, Esq., Nixon Peabody LLP, agent for Verizon Wirelss	_Telephone:585-263-1333
Address: 1300 Clinton Square, Rochester, NY	_Zip:
If the applicant is not the owner or if there is an applicant/agent, please Applicant is the designated agent of Venzon Wireless Venzon Wireless is leasing the affected property from the owner.	
DESCRIBE BRIEFLY THE DETAILS OF THIS REQUEST: Verizon Wireless 170' (174' with lightning rod) telecommunications facility.	proposes to construct and operate a
SIGNATURE(s):	_DATE:
	DATE: 08/25/2023
Robert W. Burgdorf, Esq., Nixon Peabody LLP - attorneys for Veriz	on Wireless

TOWN OF BARRE APPLICATION FOR WIRELESS TOWERS AND TELECOMMUNICATION FACILITIES

Site Address & SBL 14295 West Barre Road (1061-73.1)	Date:08/31/2023
Name of Applicant Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless	
Phone No. 585-263-1333 Fax No. N/A E-mail rburg	gdorf@nixonpeabody.com
Applicant Address 1300 Clinton Square, Rochester, NY 14604	
Project Address	
Site Acreage 208 Facility Area (sq.ft./Acres) 10,000 sq. ft.	Lot Coverage (%) >1
Facility Height (ft) Nonrefundable Fee (see fee sched	ule) <u>\$200</u>
Is this a new telecommunication facility? ▼ Yes □ No	
Is this an expansion/replacement of an existing telecommunication yes answer the following:	facility? 🗆 Yes 🏻 No, if
• Is the telecommunication facility located in a public right-of	f-way? Yes No
 Will the height of the tower increase?	
o Will height increase by the height of an additional ar	ntenna array with separation
of less than 20 feet from nearest array? \square Yes \square	No
 Will an appurtenance be added to the body of the tower? State distance appurtenance will protrude from body 	
 Will appurtenance protrude father than the base of the 	ne tower? Yes No
• Will any new equipment cabinets be added? ☐ Yes ☐ N	lo, if yes:

¹ Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act.

O How many cabinets currently exist? Height of cristing orbitate (2).
Height of existing cabinets (ft):How many cabinets are being added?
How many cabinets are being added?Height of new cabinets (ft):
o Tieight of new caomets (it).
• Will there be any excavation or deployment outside of the current site that entails any excavation or deployment of transmission equipment outside of the current site by more
than 30 feet in any direction? \square Yes \square No
• Do you currently have a Special Use Permit for this facility? ☐ Yes ☐ No, if yes, attach a copy of the special use permit.
Present use of premises: vacant occupied as follows: Single-Family Home
Present zoning classification Agricultural / Residential Is Rezoning required □ yes □ no
Has Rezoning Application been filed ☐ yes ☒ no if yes, what classification
Are Use or Area Variances needed 🗵 yes 🗆 no if yes, list Area (height) Variance
Height from ground/roof to the highest edge of the system (feet) 174' to top of lightning rod
Have you applied for property line splits, merges, or subdivision? ☐ yes ☒ no if yes, attach application
If you do not own the real property where the project will occur:
Name of Owner(s) Adrienne C. Daniels Irrevocable Trust Owner(s) Phone No. Not available
Owner(s) E-mail Not available Owner(s) Fax No. Not available
Owner(s) Address 44295 West Barre Road, Barre, NY 14411
Legal or Equitable interest Applicant has in the property: Applicant is a lessee. See Exhibit M
(Proof of Landowner's Consent to this Application).

Applicants should consult the Town of Barre Zoning Code §350-63 (Telecommunication Facility Special Use Permit Criteria) and §350-90 (Site Plan Procedure) when compiling their application materials.

Attached to this application are the following:	
🗵 Site Plan	Engineer's Report (structural report)
☐ Tree Inventory	☐ Screening and Landscaping Plan
☐ Vegetation Management Plan	☐ Operations & Maintenance Plan
☐ Decommissioning Plan	▼ Preliminary Equipment Specifications
□ SWPPP	▼ Drainage Plan
☐ Lighting Plan	☐ Signage Plan
	X Written Description of the Project
☐ Utility Plan	
☐ Rezoning Application	▼ Variance Application(s)
☐ Subdivision Application	Other See application for full list of exhibits.
▼ Full Environmental Assessment Form Part 1	
I affirm under penalty of perjury that the coof my knowledge.	ontents of this application are true to the best
Kolast Buydel	Exhibit M (Proof of Landowner's Consent to this Application)
Applicant	Owner
By:	By:

Robert W. Burgdorf, Esq., Nixon Peabody LLP - attorneys for Verizon Wireless

EXHIBIT B

PROJECT DESCRIPTION

Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless ("Verizon Wireless") is a public utility, and federally licensed wireless telecommunications provider. It currently has service inadequacies in the Town of Barre (the "Town"). To remedy this service inadequacy, Verizon Wireless is proposing to construct and operate a new wireless telecommunications facility (the "Project") at 14295 West Barre Road on property owned by the Frederick A. Daniels and Adrienne C. Daniels Irrevocable Trust and identified as Tax Parcel No. 106.-1-73.1 (the "Project Site"). This Application consists of a request for Site Plan Approval and a Special Use Permit from the Planning Board, as well as an Area (height) Variance from the Zoning Board of Appeals to permit the Project to provide adequate and reliable wireless telecommunications service to emergency services, businesses and individuals in and around the Town.

The Project would consist of the construction and operation of a 170' tower (plus a 4' lightning rod), exterior equipment cabinets and other associated improvements, all as shown on the enclosed site plan prepared by Costich Engineering.

Essentially, wireless telecommunication devices operate by transmitting a very low power radio signal between the wireless telecommunication devices and an antenna mounted on a tower, pole, building or other structure. The antenna feeds the signal to electronic apparatus located near the antenna (the "base station"), where it is connected to traditional telephone systems, and is then routed anywhere in the world. The antennas and base station are known as a "cell site."

Because of the low power, a cell site is capable of transmitting to and from wireless telecommunication devices only within a limited geographic area. This limited geographic area is called a "cell." A cell site must be located within a prescribed area in order to provide coverage for the entire cell.

Wireless telecommunications technology requires that cells overlap somewhat in order to provide uninterrupted service. When the wireless telephone user moves into a new cell, the

transmission is automatically transferred to the cell site in the new cell. If there is no cell site in the new cell, there is no wireless telecommunications service.

Because each cell site must be placed in such a manner as to provide service within a particular cell, and so as to provide overlapping (but not duplicate) coverage with the existing or planned cells around it, there is limited flexibility as to where a cell site can be placed. Wireless telecommunications providers conduct a thorough engineering study, including using an elaborate computer program known as a "propagation study." A propagation study shows, based on cell boundaries, topography and other factors, where a cell site needs to be located in order to provide wireless telecommunications coverage in a particular cell. The wireless telecommunication companies and RF engineers identify technologically feasible locations for the cell site.

In this case, the proposed site was identified by Verizon Wireless as being an appropriate site to remedy the service deficiencies. The Project Site was located within that area and was available to Verizon Wireless to meet the technological requirements.

As set forth in this application, Verizon Wireless meets the legal standards necessary for the requested approvals. Moreover, the Project will not pollute, will not create noise or vibration, will not create any significant increase in traffic, will not create any environmental problems, will not increase population density, and will not create any demand on governmental facilities. Thus, the Project will not create any detriment to adjoining properties or change the character of the neighborhood. Instead, the Project will enhance governmental facilities and promote the public welfare by providing a modern, more efficient system of communications for police, fire and other emergency services, as well as provide modern wireless telecommunication service to business, industry and individuals in and around the Barre Corners cell.

EXHIBIT C

APPLICABLE LEGAL STANDARDS

In <u>Cellular Tel. Co. v. Rosenberg</u>, 82 N.Y.2d 364 (1993), the New York Court of Appeals determined that wireless telephone facilities are public utilities. The Court held that proposed wireless telephone installations are to be reviewed by zoning boards pursuant to the traditional standard afforded to public utilities, rather than the standards generally required for the necessary approvals.

'It has long been held that a zoning board may not exclude a utility from a community where the utility has shown a need for its facilities.'. . . Application of our holding in Matter of Consolidated Edison to sitings of wireless telephone companies, such as Wireless One, permits those companies to construct structures necessary for their operation which are prohibited because of existing zoning laws and to provide the desired services to the surrounding community. . . . Moreover, the record supports the conclusion that Cellular One sustained its burden of proving the requisite public necessity. Cellular One established that the erection of the cell site would enable it to remedy gaps in its service area that currently prevent it from providing adequate service to its customers in the Dobbs Ferry area.

Rosenberg, 82 N.Y.2d at 372-74 (citing Consolidated Edison Co. v. Hoffman, 43 N.Y.2d 598 (1978)).

This special treatment of a public utility stems from the essential nature of its service, and because a public utility transmitting facility must be located in a particular area in order to provide service. For instance, water towers, electric switching stations, water pumping stations and telephone poles must be in particular locations (including within residential districts) in order to provide the utility to a specific area:

[Public] utility services are needed in all districts; the service can be provided only if certain facilities (for example, substations) can be located in commercial and even in residential districts. To exclude such use would result in an impairment of an essential service.

Salkin, New York Zoning Law Practice, 4th ed., § 7:12 (2013) (hereafter "Salkin"). See also, Wireless Tel. Co. v. Rosenberg, 82 N.Y.2d 364 (1993); Payne v. Taylor, 178 A.D.2d 979 (4th Dep't 1991).

Accordingly, the law in New York is that a municipality may not prohibit facilities, including towers, necessary for the transmission of a public utility. In Rosenberg, 82 N.Y.2d at 371, the court found that "the construction of an antenna tower... to facilitate the supply of cellular telephone service is a 'public utility building' within the meaning of a zoning ordinance." See also Long Island Lighting Co. v. Griffin, 272 A.D. 551 (2d Dep't 1947) (a municipal corporation may not prohibit the expansion of a public utility where such expansion is necessary to the maintenance of essential services).

In the present case, Verizon Wireless is suffering from inadequate service coverage in the Town of Barre. The Project is needed to remedy this service problem and to provide wireless telecommunications service coverage to this area. Therefore, Verizon Wireless satisfies the requisite showing of need for the facility under applicable New York law.

EXHIBIT D

PROOF OF COMPLIANCE WITH THE TOWN'S SITE PLAN REVIEW REQUIREMENTS, AS SET FORTH IN §§ 350-87 – 350-94 OF THE CODE

Sections 350-87 to 350-94 of the Code contains the requirements for personal wireless telecommunications facilities in the Town of Barre. The requirements of the Code are reproduced below in bold italicized type, followed by Verizon Wireless' response in regular type.

§ 350-87. Purpose.

The intent of this article is to set forth additional general standards applying to certain uses and activities. The nature of these uses and activities require special consideration of their impacts upon surrounding properties, the environment, community character and the ability of the Town to accommodate development consistent with the objectives of this chapter.

No response necessary.

§ 350-88. Applications.

All applications for zoning permits, zoning variances, or special use permits, except those for one- and two-family dwellings and their permitted accessory uses, any addition to a single-family dwellings, or general farming uses, shall be accompanied by a site plan. No zoning permit shall be issued until all the requirements of this article and all other applicable provisions of this chapter have been met.

No response necessary.

§ 350-89. Procedure.

A. A preapplication conference may be held between the Planning Board and applicant to review the basic site design concept and to determine the information to be submitted with the site plan.

No response necessary.

B. Each application for a building permit, variance or special use permit for any structure, building or use other than one- or two-family dwelling, their permitted accessory use, any addition to a single-family dwelling or general farming use, shall be referred to the Town Planning Board for site plan review. The application shall be made to the Planning Board by filing it with the Code Enforcement Officer. The Code Enforcement Officer shall present it to the Planning Board at their next regularly scheduled meeting. The applicant may wish to attend the Planning Board meeting to answer questions concerning the application.

No response necessary.

C. Within 62 days of receipt of the application, the Planning Board shall render a decision to approve, approve with conditions, or deny the site plan, and shall forward the decision to the Code Enforcement Officer. Any extension of this sixty-two-day period may be granted upon consent of both the applicant and the Town Planning Board. If the Planning Board fails to act within the sixty-two-day period or the extension period that has been granted, the site plan shall be considered approved.

No response necessary.

D. A full written record of the Planning Board minutes and decisions together with all documents pertaining to the case shall be filed in the office of the Town Clerk and shall be mailed to the applicant.

No response necessary

§ 350-90. Application for site plan approval.

An application for site plan approval shall be made in writing to the Code Enforcement Officer and shall be accompanied by information drawn from the following checklist. The Planning Board may require additional information, if necessary, to complete its review.

- A. Plan checklist for all site plans:
 - (1) Title of drawing, including name and address of applicant and person responsible for preparation of such drawing.

See Exhibit R (Site Plan).

(2) North arrow, scale and date.

See Exhibit R (Site Plan).

(3) Boundaries of the property plotted to scale.

See Exhibit R (Site Plan).

(4) Existing watercourses and bodies of water.

See Exhibit R (Site Plan).

(5) Location of any slopes of 5% or greater.

Not applicable.

(6) Existing and proposed grading and drainage.

See Exhibit R (Site Plan).

(7) Location, proposed use, and height of all buildings and site improvements, including culverts, drains, retaining walls and fences.

See Exhibit R (Site Plan).

(8) Location, design and construction materials of all parking and truck loading areas, showing points of entry and exit from the site.

See Exhibit R (Site Plan).

(9) Location of outdoor storage, if any.

Not applicable.

(10) Description of the method of sewage disposal and location of the facilities.

Not applicable.

(11) Identification of water source; if well, locate on drawing.

Not applicable.

(12) Location, size and design and construction materials of all proposed signs.

Not applicable.

(13) Location and proposed development of all buffer areas, including existing vegetation cover.

Not applicable.

(14) Location and design of outdoor lighting facilities.

Not applicable.

(15) General landscaping plan.

Not applicable.

(16) Copy of property deed and a listing of all deed restrictions.

Not applicable.

- B. As necessary, the Planning Board may require the following:
 - (1) Provision for pedestrian access, if necessary.

Not applicable.

(2) Location of fire lanes and hydrants.

Not applicable.

(3) Designation of the amount of building area proposed for retail sales or similar commercial activity.

Not applicable.

(4) Other elements integral to the proposed development as considered necessary by the Planning Board.

See Exhibit R (Site Plan).

§ 350-91. Planning Board review of site plan.

The Planning Board's review of the site plan shall include, as appropriate, the following:

- A. General considerations:
 - (1) Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls. This includes the maximum feasible redesign of private roads to conform to existing public access and rights-of-way.

See Exhibit R (Site Plan).

(2) Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.

Not applicable.

(3) Location, arrangement, appearance and sufficiency of off-street parking and loading.

Not applicable.

- (4) Location, arrangement, size, design and general site compatibility of buildings, lighting and signs.
 - (a) No use shall be undertaken which eliminates or substantially reduces a significant view or vista from an existing property due to height, bulk or orientation of structure.

The Project so complies. See <u>Exhibit J</u> (Long EAF) and <u>Exhibit P</u> (Photosimulation Report).

(5) Adequacy of stormwater and drainage facilities.

See Exhibit R (Site Plan).

(6) Adequacy of water supply and sewage disposal facilities.

Not applicable.

(7) Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise buffer between the applicant's and adjoining lands, including the maximum feasible retention of existing vegetation.

See Exhibit R (Site Plan).

(8) In the case of an apartment complex or other multiple dwelling, the adequacy of useable open space for play areas and informal recreation.

Not applicable.

(9) Protection of adjacent or neighboring properties against noise, glare, unsightliness or nuisances.

See Exhibit R (Site Plan).

(10) Protection of solar access on adjacent or neighboring properties.

See Exhibit R (Site Plan).

(11) Adequacy of fire lanes and other emergency zones and the provision of fire hydrants.

See Exhibit R (Site Plan).

(12) Adequacy of on-site refuse storage, including appropriate screening and rodent control measures.

Not applicable.

(13) Special attention to the adequacy of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion.

See Exhibit R (Site Plan).

(14) Special attention to the productive use and access with backlot areas, indicating present and future intended uses.

Not applicable.

(15) Consistency with the general intent of the Town's Comprehensive Plan.

See Exhibit B (Project Description).

B. Consultant review. The Planning Board may consult with the Town Code Enforcement Officer, Fire Commissioners, highway departments, County Planning Department, and other local county officials, in addition to representatives of federal and state agencies, including, but not limited to, the Soil and Water Conservation District, the State Department of Transportation and the State Department of Environmental Conservation.

No response necessary.

C. Optional public hearing. The Planning Board may conduct a public hearing of the site plan. If a public hearing is considered desirable by a majority of the Planning Board, such public hearing shall be conducted within 62 days of the receipt of the complete application and shall be advertised in the official newspaper of the Town at least five days before the public hearing. If a public hearing is held, a decision on the site plan shall be rendered within 62 days after the public hearing.

No response necessary.

D. Additional public notice. If the Planning Board determines that a public hearing shall be held, all property owners within 500 feet of the subject property shall be notified, in writing, at least five days prior to the public hearing. Additionally, the applicant shall place one sign on the property for which site plan review is requested. Said sign shall be provided by the Code Enforcement Officer. The sign shall be placed in a location which is easily read from a public street. The sign shall specify the date, time and place of the public hearing and a telephone number to call for more specific information. Such sign shall be placed on the site not less than five days prior to the public hearing and shall be brought to the hearing by the applicant or his designated representative.

Verizon Wireless will so comply.

- E. Action on site plan.
 - (1) The Planning Board may:
 - (a) Grant final approval of the site plan;
 - (b) Disapprove the site plan; or
 - (c) Conditionally approve the site plan.

No response necessary.

(2) If the Planning Board grants final approval of the site plan, the Planning Board shall direct the Planning Board Chairman to endorse its approval on the original and one copy of the final site plan. Once signed, the Planning Board shall forward the Mylar and site plan to the CEO. The CEO shall issue a zoning permit to the applicant if the project conforms with all other applicable requirements and permits.

No response necessary.

(3) If the Planning Board disapproves the site plan, the Planning Board shall so inform the CEO and the applicant. The Code Enforcement Officer shall deny a zoning permit to the applicant. The Planning Board shall also notify the applicant, in writing, of its decision and its reasons for disapproval. A copy of the appropriate minutes may suffice for this notice.

No response necessary.

(4) If the Planning Board conditionally approves the site plan, the site plan initially submitted shall be considered to be the preliminary site plan, and the applicant may prepare his final detailed site plan and submit it to the Planning Board for approval. If more than six months has elapsed between the time of the Planning Board's report on the preliminary site plan and the submission of the final site plan, and if the Planning Board finds that

conditions have changed significantly in the interim, the Planning Board may require a resubmission of the preliminary site plan for further review and possible revision prior to accepting the proposed final site plan for review.

No response necessary.

§ 350-92. Application for final detailed site plan approval.

A. The final detailed site plan shall conform substantially to the preliminary site plan that has received conditional (preliminary) site plan approval. It shall incorporate any revisions or other features that may have been recommended by the Planning Board during the preliminary review. All such compliances shall be clearly indicated by the applicant on the appropriate submission.

No response necessary.

- B. The following additional information shall accompany an application for final site plan approval:
 - (1) Detailed sizing and final material specification of all required improvements.

Verizon Wireless will so comply.

(2) An estimated project construction schedule.

Typically, the construction of similar projects commence within 120 days following the issuance of the necessary zoning approvals. Once construction of the Project begins, it should take 1-2 months to complete.

(3) A detailed plan identifying all lands, easements and rights-of-way which shall be commonly owned with the identification of the association responsible for said ownership, the method of managing commonly owned properties and requiring that the officers of said association shall be identified to the CEO in writing on an annual basis.

See Exhibit R (Site Plan).

(4) Information specifying the materials to be used and information as to the character of the exterior design.

See Exhibit R (Site Plan).

§ 350-93. Action on detailed final site plan application.

A. Within 62 days of the receipt of a complete application for final site plan approval, the Planning Board shall render a decision to the applicant and the CEO.

No response necessary.

B. Upon approval by all involved agencies, an application for final site plan approval by the Planning Board shall direct the Planning Board Chairman to endorse its approval on the original Mylar and one copy of the final site plan. Once signed, the Planning Board shall forward the Mylar and site plan to the CEO. The CEO shall issue a zoning permit to the applicant if the project conforms with all other applicable requirements and permits.

No response necessary.

C. Upon disapproving an application for a final site plan, the Planning Board shall so inform the CEO and the applicant. The Code Enforcement Officer shall deny a zoning permit to the applicant. The Planning Board shall also notify the applicant, in writing, of its decision and its reasons for disapproval. A copy of the appropriate minutes may suffice for this notice.

No response necessary.

§ 350-94. Supplemental regulations pertaining to site plan approval.

A. Expiration of site plan approval. Such site plan approval shall automatically terminate one year after the same is granted unless significant work has been done on the project.

No response necessary.

B. Reimbursable costs. Reasonable costs incurred by the Town for consultation fees or other extraordinary expenses associated with the review of a proposed site plan shall be charged to the applicant in accordance with the fee schedule.

Verizon Wireless will so comply with all such costs legally imposed upon applicant.

C. Performance guarantee.

(1) No zoning permit shall be issued until all improvements shown on the site plan are installed or a sufficient performance guarantee, approved by the Planning Board, has been posted for improvements. The sufficiency of such

performance guarantee shall be determined by the Planning Board after consultation with the CEO, Town Engineer, Planning Board and Town Attorney.

Verizon Wireless will so comply with all such costs legally imposed upon applicant.

(2) The Planning Board shall have the option of requiring a performance bond or other financial guarantee in an amount sufficient to restore the property to its original condition if the applicant fails to comply with the conditions of the site plan approval.

Verizon Wireless will so comply with all such costs legally imposed upon applicant.

D. Inspection of improvements and development. The CEO shall be responsible for the overall inspection of site improvements, including coordination with the Town officials and agencies, as appropriate. No certificate of occupancy shall be granted prior to a final inspection and determination of conformity to the site plan and New York State Building Code.

No response necessary.

E. Integration of site plan approval procedure with other Planning Board approvals. Whenever the particular circumstances of a proposed development require compliance with either the special use permit procedures or other requirements of this chapter, the Planning Board shall attempt to integrate, as appropriate, site plan review as required by this article with the procedural and submission requirements for such other compliances. In any case, all state permits and local land use control approvals shall be procured prior to the issuance of a building permit for a development project.

No response necessary.

F. Conflicts. If any conflicts exist between this site plan review procedure and other land use controls of the Town, this article shall apply.

No response necessary.

EXHIBIT E

PROOF OF COMPLIANCE WITH THE TOWN'S SPECIAL USE PERMIT REQUIREMENTS FOR TELECOMMUNICATIONS FACILITIES AS SET FORTH IN § 350-63 OF THE CODE

Section 350-63 of the Code contains the requirements for Special Use Permit applications made for telecommunications facilities proposed within the Town of Barre. The requirements of the Code are reproduced below in bold italicized type, followed by Verizon Wireless' response in regular type.

§ 350-63. Telecommunications facility.

The Planning Board may approve a special use permit for the use of land and buildings for a telecommunications facility in the AR Agricultural/Residential District or the LI Light Industrial District, provided that the following standards and provisions are maintained:

A. Purpose. The purpose of these supplemental regulations is to promote health, safety, and the general welfare of the residents of the Town of Barre; to provide standards for safe provision of telecommunications consistent with applicable federal and state regulations; to minimize the total number of telecommunications towers in the community by encouraging shared use of existing and future towers, and the use of existing tall buildings and other high structures; and to minimize adverse visual effects from telecommunications towers by requiring careful siting, visual impact assessment, and appropriate landscaping.

No response necessary.

- B. General criteria. No special use permit or renewal thereof or modification of a current special use permit relating to a telecommunications facility shall be authorized by the Planning Board unless it finds that such telecommunications facility:
 - (1) Is necessary to meet current or expected demands for service;

The Project so complies. See Exhibit G (RF Justification).

(2) Conforms with all applicable regulations promulgated by the Federal Communications Commission, Federal Aviation Administration, and other federal agencies;

The Project so complies. See <u>Exhibit I</u> (Verizon Wireless' FCC Licenses for Orleans County).

(3) Is designed and constructed in a manner which minimizes visual impact to the extent practical;

The Project so complies. See Exhibit R (Site Plan).

(4) Complies with all other requirements of this chapter, unless expressly superseded herein;

The Project so complies.

(5) Is the most appropriate site among those available within the technically feasible area for the location of a telecommunications facility;

The Project so complies. See Exhibit H (Site Selection Analysis).

(6) When including the construction of a tower, such tower is designed to accommodate future shared use by at least one other telecommunications service provider. Any subsequent location of telecommunications equipment by other service providers on existing towers specifically designed for shared use shall not require a new or modified special permit if there would be no increase in the height of the tower. However, the additional equipment will require site plan review.

The Project so complies. See <u>Exhibit K</u> (Verizon Wireless' Co-location Policy) and <u>Exhibit R</u> (Site Plan).

C. Co-location.

(1) The shared use of existing telecommunications facilities or other structures shall be preferred to the construction of new facilities. Any special permit applications, renewal or modification thereof shall include proof that reasonable efforts have been made to co-locate within (share) an existing telecommunications facility or upon an existing structure. The application shall include an adequate inventory report specifying existing telecommunications facility sites and structures exceeding 75% of the height of the proposed tower within the search range of the cell grid. The inventory report shall contain an evaluation of opportunities for shared use an alternative to the proposed location.

See Exhibit H (Site Selection Analysis).

- (2) The applicant must demonstrate that the proposed telecommunications facility cannot be accommodated on existing telecommunications facility sites in the inventory due to one or more of the following reasons:
 - (a) The planned equipment would exceed the structural capacity of existing and approved telecommunications facilities or other structures, considering existing and planned use for those facilities;

See Exhibit H (Site Selection Analysis).

(b) The planned equipment would cause radio frequency interference with other existing or planned equipment, which cannot be reasonably prevented;

See Exhibit H (Site Selection Analysis).

(c) Existing or approved telecommunications facilities or other structures do not have space on which proposed equipment can be placed so it can function effectively and reasonably;

See Exhibit H (Site Selection Analysis).

(d) Other technical reasons make it impracticable to place the equipment proposed by the applicant on existing facilities or structures;

See Exhibit H (Site Selection Analysis).

(e) The property owner or owner of the existing telecommunications facility or other structure refuses to allow such co-location.

See Exhibit H (Site Selection Analysis).

D. Dimensional standards.

(1) A fall zone around any tower constructed as part of a telecommunications facility must have a radius at least equal to the height of the tower and any antenna(s) attached upon its zenith. The entire fall zone may not include public roads and must be located on property either owned or leased by the applicant or for which the applicant has obtained an easement, and may not contain any structure other than those associated with the telecommunications facility. If the facility is attached to an existing structure, relief may be granted by specific permission of the Zoning Board of Appeals on a case-by-case basis.

The Project so complies. See Exhibit R (Site Plan).

(2) All telecommunications facilities shall be located on a single parcel.

The Project so complies. See Exhibit R (Site Plan).

(3) All telecommunications facilities shall comply with the setback standards of the underlying zoning district. The size of the leased or owned lot shall be, at a minimum, sufficiently large to include the entire fall zone. A lot leased or owned for the purpose of construction of a tower as part of a telecommunications facility shall not result in the creation of a nonconforming lot.

The Project so complies. See Exhibit R (Site Plan).

(4) The frontage requirement of the underlying zoning district shall not apply, provided the telecommunications facility is not proposed on a parcel to be partitioned specifically for the facility and/or is designed for occupancy by staff. In the absence of required frontage, an access for service vehicles, either through easement, lease or ownership, shall be in accord with Subsection G herein.

The Project so complies. See Exhibit R (Site Plan).

E. Lighting and marking.

(1) Towers shall not be artificially lighted and marked beyond requirements of the Federal Aviation Administration (FAA).

The Project will not be lighted, as the Project's height and location does not trigger FAA lighting requirements. Therefore, the Project so complies. See Exhibit R (Site Plan).

(2) Notwithstanding the preceding Subsection E(1), an applicant may be compelled to add FAA-style lighting and marking, if in the judgment of the Planning Board, such a requirement would be of direct benefit to public safety.

No response necessary.

F. Appearance and buffering.

(1) The use of any portion of a telecommunications facility for signs, promotional or advertising purposes, including, but not limited to, company name, phone numbers, banners, streamers, and balloons is prohibited.

The Project so complies. See Exhibit R (Site Plan).

- (2) The facility shall have the least practical visual effect on the environment, as determined by the Planning Board. Any tower that is not subject to FAA marking, pursuant to Subsection E(1) and (2) herein, shall otherwise:
 - (a) Have a galvanized finish, or shall be painted gray above the surrounding tree line and gray or green below the tree line, as deemed appropriate by the Planning Board; or

The Project so complies. See Exhibit R (Site Plan).

(b) Be disguised or camouflaged to blend in with the surroundings, to the extent that such alteration does not impair the ability of the facility to perform its designed function.

Not applicable.

(3) Accessory structures shall maximize the use of building materials, colors, and textures designed to blend in with the natural surroundings.

The Project so complies. See Exhibit R (Site Plan).

(4) The Planning Board may require a state environmental quality review (SEQR) full EAF (environmental assessment form) for proposed facilities at key viewpoints in the community. A visual environmental assessment form (visual EAF) may be required as an addendum to either the full or short EAF. The Planning Board may require submittal of a more detailed visual analysis based on the results of the visual EAF.

See <u>Exhibit J</u> (Long EAF). For a more detailed visual analysis, see <u>Exhibit P</u> (Photosimulation Report).

(5) The Planning Board shall require that the facility have appropriate vegetative buffering around the fences of the tower base area, accessory structures and the anchor points of guyed towers to buffer their view from neighboring residences, recreation areas, or public roads. Such screening shall include the maximum feasible retention of existing vegetation. The Planning Board may similarly require screening adjacent to waterways, landmarks, refuges, community facilities, or conservation or historic areas within common view of the public.

See Exhibit R (Site Plan). The Project is buffered from West Barre Road by a wooded area on the Site which will screen the Project from the view of

passersby. The existing vegetation on the Site will be retained to the maximum extent possible.

(6) Equipment or vehicles not used in direct support, renovations, additions or repair of any telecommunications facility shall not be stored or parked on the facility site.

Verizon Wireless will so comply.

G. Access and parking.

(1) Accessways shall make maximum use of existing public or private roads to the extent practicable. New accessways constructed solely for telecommunications facilities must be at least 20 feet, but no more than 30 feet wide, and closely follow natural contours to assure minimal visual disturbance and reduce soil erosion potential.

The Project so complies. See Exhibit R (Site Plan).

(2) The road surface (driveways) shall be centered within accessways and shall not comprise more than 60% of the width of the accessway.

The Project so complies. See Exhibit R (Site Plan).

(3) Parking areas shall be sufficient to accommodate the greatest number of service vehicles expected on the premises at any one time.

The Project so complies. See Exhibit R (Site Plan).

(4) Driveways or parking areas shall provide adequate interior turnaround, such that service vehicles will not have to back out onto a public thoroughfare.

The Project so complies. See Exhibit R (Site Plan).

H. Security.

(1) Towers, anchor points of guyed towers, and accessory structures shall each be surrounded by fencing at least eight feet in height, the top foot of which may, at the discretion of the Planning Board in deference to the character of the neighborhood, be comprised of three strands of barbed wire to discourage unauthorized access to the site.

The Project so complies. See <u>Exhibit R</u> (Site Plan). Note that the fence surrounding the Project, as proposed, is 7' tall with a 1' barbed-wire extension.

(2) Motion-activated or staff-activated security lighting around the base of a tower or accessory structure entrance may be provided if such lighting does not project off the site. Such lighting should only occur when the area within the fenced perimeters has been entered.

The Project so complies. See Exhibit R (Site Plan).

(3) There shall be no permanent climbing pegs within 15 feet off the ground of any tower.

The Project so complies. See Exhibit R (Site Plan).

(4) A locked gate at the junction of the accessway and a public thoroughfare may be required to obstruct entry by unauthorized vehicles. Such gate must not protrude into the public right-of-way.

The Project so complies. See Exhibit R (Site Plan).

- I. Engineering and maintenance.
 - (1) Site plans for all telecommunications facilities must bear the seal of a professional engineer licensed to practice in the State of New York. Every facility shall be built, operated and maintained to acceptable industry standards, including, but not limited to, the most recent, applicable standards of the Institute of Electric and Electronic Engineers (IEEE) and the American National Standards Institute (ANSI).

The Project so complies. See Exhibit R (Site Plan).

(2) Every facility shall be inspected at least every second year for structural integrity by a New York State licensed engineer. A copy of the inspection report shall be submitted to the Municipal Code Enforcement Officer.

Verizon Wireless will so comply.

(3) A safety analysis by a qualified professional must accompany any special permit or site plan application, renewal thereof or modification, for the purpose of certifying that general public electromagnetic radiation exposure does not exceed standards set by federal regulations.

See Exhibit O (Proof of Compliance with Federal EME Requirements).

(4) The municipality, at the expense of the applicant, may employ its own consulting assistance to review the findings and conclusions of safety analysis, visual analysis, or structural inspection provided by the applicant.

Verizon Wireless will so comply with the payment of any fees legally and reasonably imposed upon applicant resulting from the Town's hiring of a consultant to review this Application.

J. Removal.

(1) At the time of submittal of the application of a special use permit for a telecommunications facility, the applicant shall submit an agreement to remove all antennas, driveways, structures, buildings, equipment sheds, lighting, utilities, fencing, gates, accessory equipment or structures, as well as any tower(s) dedicated solely for use within a telecommunications facility if such facility becomes technologically obsolete or ceases to perform its originally intended function for more than 12 consecutive months. Upon removal of said facility, the land shall be restored to its previous condition, including, but not limited to, the seeding of exposed soils.

Verizon Wireless will so comply. See Exhibit L (Tower Removal Estimate).

(2) At the time of obtaining a building permit, the applicant must provide a financial security bond for removal of the telecommunications facility and property restoration, with the municipality as the assignee, in an amount approved by the Planning Board, but not less than \$100,000.

Verizon Wireless will so comply.

(3) At time of renewal or modification of the special use permit, the Planning Board may adjust the required amount of the financial security bond to adequately cover increases in the cost of removal of the telecommunications facility and property restoration.

Verizon Wireless will so comply.

EXHIBIT F

PROOF OF COMPLIANCE WITH APPLICABLE AREA VARIANCE STANDARDS AS SET FORTH IN §§ 350-74 – 350-75 OF THE CODE

Even though Verizon Wireless is held to the standard for a public utility as described in Exhibit C, this Exhibit demonstrates that the Project also complies with the Area Variance standards in New York Town Law § 267-b(3)(b) as well as in §§ 350-74 – 350-75 of the Code. The latter requirements, which mirror those of the New York Town Law, are set forth below in bold italicized type followed by Verizon Wireless' response in regular type. In determining whether to grant an Area Variance, the traditional standards require a board to consider the "benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant." (New York Town Law § 267-b(3)(b)).

The requested Area Variance will allow Verizon Wireless to construct the proposed tower at the Site in the Town of Barre at a height sufficient to service the "Barre Corners" cell. Importantly, granting the requested Area Variance will not present a threat to adjoining properties, or the neighborhood or the community in general.

A. Area variances.

(1) The Zoning Board of Appeals shall have the power, upon an appeal from a decision or determination of the administrative official charged with the enforcement of this chapter, or in conjunction with an application for site plan review or subdivision approval, to grant area variances as defined herein.

No response necessary.

- (2) In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall also consider:
 - (a) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;

The character of the surrounding neighborhood is predominately agricultural, including the parcels along the thoroughfare of West Barre Road (Orleans County Route 99). The Project will result in increased coverage for motorists along West Barre Road, patrons of nearby farms and businesses, and residents within the Town. The construction of the Project at the height proposed will also result in increased wireless

telecommunications coverage for local emergency and public safety services. Moreover, wireless infrastructure is an essential part of the critical infrastructure of any neighborhood.

The granting of the requested Area Variance will not create an undesirable change in the neighborhood. The proposed location of the Site is set back from the public rights of way and residential neighborhoods and will result in minimal to no visual obstruction to the neighborhood.

(b) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;

A thorough radio-frequency engineering analysis of the Site (See Exhibit \underline{G} (RF Justification)) revealed that the height of the tower is the minimum necessary to serve the current coverage gap within the Barre Corners cell, while also accounting for the topography of the Site's surrounding area and the locations of obstructions which may interfere with the tower's functioning.

(c) Whether the requested area variance is substantial;

Section 350-22(E)(4) of the Town Code restricts the height of structures in the AR zoning district to 35 feet. The Project is proposed to be 170 feet, with an attached 4-foot lighting rod, for a total of 174 feet. The additional height is not substantial when balanced against critical service that the Project provides.

(d) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

Personal wireless telecommunications facilities are a permitted use in the Town's AR zoning district upon the issuance of a Special Use Permit. Granting the requested Area Variance, which will allow for the placement of a necessary public utility in the Town, will not have an adverse impact on the physical or environmental conditions in the neighborhood and is part of the orderly and necessary infrastructure of a community.

Moreover, the Project will not pollute, will not create noise or vibration, will not create any significant increase in traffic, will not create any environmental problems, will not increase population density, and will not create any demand on governmental facilities. Thus, the Project will not

create any detriment to adjoining properties or change the character of the neighborhood. Instead, the Project will enhance governmental facilities and promote the public welfare by providing a modern, more efficient system of communications for police, fire and other emergency services, as well as provide modern wireless telecommunication service to business, industry and individuals in and around the Barre Corners cell.

(e) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.

The hardship is not self-created. Instead, it is a function of the nature of currently available technology for the Project. As described in Exhibit B (Project Description), wireless telecommunications devices operate by transmitting a very low power radio signal between a wireless telecommunications device and an antenna mounted on a tower. In order for the antenna to transmit a signal to a wireless device that is sufficient to provide service to the device, the antenna has to be placed at a height that will allow for transmission between the antenna and the device that is unobstructed by surrounding structures or topography.

(3) The Board of Appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

No response necessary.

B. Use variances.

(1) The Board of Appeals, on appeal from the decision or determination of the administrative official charged with the enforcement of this chapter, shall have the power to grant use variances, as defined herein.

No response necessary.

- (2) No such use variance shall be granted by a Board of Appeals without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate to the Board of Appeals that, for each and every permitted use under this chapter for the particular district where the property is located:
 - (a) The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;

Not applicable.

(b) The alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood;

Not applicable.

(c) The requested use variance, if granted, will not alter the essential character of the neighborhood; and

Not applicable.

(d) The alleged hardship has not been self-created.

Not applicable.

(3) The Board of Appeals, in the granting of use variances, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proven by the applicant, and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

No response necessary.

C. Imposition of conditions. The Board of Appeals shall, in the granting of both use variances and area variances, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of this chapter, and shall be imposed for the purpose of minimizing any adverse impact that such variance may have on the neighborhood or community.

No response necessary.

§ 350-75. Procedures for appeals and variances.

- A. Variance procedures.
 - (1) The applicant may arrange an informal discussion with the Board of Appeals to determine any and all of the data to be included in the application.

No response necessary.

(2) All applications for variances shall be made in quadruplicate to the Code Enforcement Officer (CEO) on forms provided by the CEO and shall be accompanied by plans and supporting documents to sufficiently describe the proposal. All applications shall refer to the specific provision of the law involved and establish the details of why the variance should be granted. The Board of Appeals may request additional information it deems necessary in order to act on the application.

No response necessary.

(3) The CEO, after determining that an application is in proper form, shall transmit copies of the application and all supporting documents to the Board of Appeals for action thereon.

No response necessary.

(4) Use variance within agricultural district. Where an application for a use variance involves land lying within certain distances prescribed in § 283-a of Town Law, an agricultural data statement shall be prepared and proper notice thereof given to all affected property owners.

Not applicable.

(5) Public hearing on appeal. The Board of Appeals shall fix a reasonable time for the public hearing of the appeal, variance, or other matter referred to it and give public notice of such hearing by publication in a paper of general circulation in the Town at least five days prior to the date thereof. The cost of sending or publishing any notices relating to such appeal, or a reasonable fee relating thereto, shall be borne by the appealing party and shall be paid to the Board of Appeals prior to the hearing of such appeal. Upon the hearing, any party may appear in person, or by agent or attorney.

No response necessary.

(6) Additional public notice. The applicant shall place one sign on the property for which an appeal or variance is requested. Said sign shall be provided by the Code Enforcement Officer at the time the appeal or application for variance is filed. The sign shall be placed in a location which is easily read from a public street. The sign shall specify the date, time and place of the public hearing and a telephone number to call for more specific information. Such sign shall be placed on the site not less than five days prior to the public hearing and shall be brought to the hearing by the applicant or his designated representative. Prior written notice to property

owners within 500 feet of a property subject to an application/public hearing before the Planning Board or Zoning Board of Appeals shall be received no later than five days before such hearing. General Municipal Law § 239-n, requiring 10 days' notice to the Clerk of any adjoining municipality, shall remain in full force and effect.

Verizon Wireless will so comply.

(7) Referral to County Planning Board. A copy of the complete variance application and supporting documents shall also be transmitted to the County Planning Board for review when required either under Article 12-B, §§ 239-l and 239-m of the General Municipal Law, or § 283-a of the New York State Town Law.

Referral of this Application is required under GML § 239-m and § 283-a of the New York State Town Law (See Exhibit Q (Agricultural Data Statement and Notice). Please refer this Application to the Orleans County Planning Board as soon as possible.

(8) Time of decision. The Board of Appeals, providing SEQR has been complied with, shall decide upon the appeal or variance within 62 days after the conduct of said hearing. The time within which the Board of Appeals must render its decision may be extended by mutual consent of the applicant and the Board.

No response necessary.

(9) Filing of decision and notice. The decision of the Board of Appeals on the appeal or variance shall be filed in the office of the Town Clerk within five business days after the day such decision is rendered, and a copy thereof mailed to the applicant.

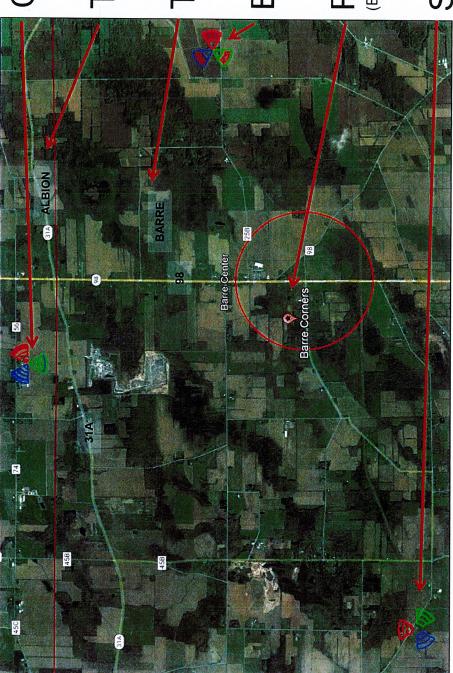
No response necessary.

(10) The CEO shall, upon receipt of the notice of approval and upon application by the applicant, issue the appropriate zoning permit or such other approval permitted by the variance, subject to all conditions imposed by the Zoning Board of Appeals.

No response necessary.

Communications Facility Verizon Wireless

Engineering Necessity Case – "Barre Corners"



County House site

Town of Albion

Town of Barre

Barre Albion site

Project location (Barre Corners)

Shelby Site

Prepared by: Phillip A. Colantonio

Project: The project is the installation and operation of a new tower co-located wireless telecommunications site in the Town of Barre (the "Project Facility").

Verizon

Introduction

The purpose of this subsequent analysis is to summarize and communicate the technical radio frequency (RF) information used in the justification of this new site. Coverage and/or capacity deficiencies are the two main drivers that prompt the need for a new wireless communications facility/site. All sites provide a mixture of both capacity and coverage for the benefit of the end user.

Coverage can be defined as the existence of signal of usable strength and quality in an area, including but not limited to in-vehicles or in-buildings.

The need for improved coverage is identified by RF Engineers that are responsible for developing and maintaining the network. RF Engineers utilize both theoretical and empirical data sets (propagation maps and real world coverage measurements). Historically, coverage improvements have been the primary justification of new sites.

Capacity can be defined as the amount of traffic (voice and data) a given site can process before significant performance degradation occurs.

connections time out and data speeds fail. This critical condition is more important than just a simple nuisance for some users. Degradation of network reliability and user experience can affect emergency responders and to persons in a real When traffic volume exceeds the capacity limits of a site serving a given area, network reliability and user experience degrades. Ultimately this prevents customers from making/receiving calls, applications cease functioning, internet emergency situation can literally mean life or death.



Project Need Overview

The project area, located in the center portion of the Town of Barre is currently served by three sites. These sites are overloaded requiring capacity relief. Additionally the project area is subject to significant terrain and or foliage challenges for RF (signal) propagation. This terrain and or foliage combined with long distance prevent effective propagation of Verizon's RF signals into this area compounding the capacity issue with areas of variable coverage creating significant gaps in coverage.

existing tower located off W County House Rd. While this site provides weak/variable coverage in portions of the project area, it does so from a The first serving site is County House, located in the Town of Albion, is approximately three miles north (of the project location) situated on an terrain and or foliage + distance challenged position making the site not capable of efficiently or effectively providing adequate coverage or The second serving site is Barre Albion, located in the Town of Barre, is approximately three miles east (of the project location) on an existing tower off E Barre Rd. While this site provides weak/variable coverage in portions of the project area, it does so from a terrain and or foliage + distance challenged position making the site not capable of efficiently or effectively providing adequate coverage or capacity.

on an existing tower located off Hemlock Ridge Rd. While this site provides weak/variable coverage in portions of the project area, it does so from a The third serving site is Shelby, located in the Town of Lima, is approximately three and one half miles southwest (of the project location) situated terrain and or foliage + distance challenged position making the site not capable of efficiently or effectively providing adequate coverage or

propagation losses from distance, challenging terrain and in building coverage losses negatively impacting mid band coverage and capacity offload capabilities. There are other Verizon sites in this general area but due to distance and terrain they also do not provide any significant overlapping Available (mid band AWS) carriers at these and other area sites are not capable of effectively serving/offloading the project area due to inherent coverage in the area in question that could allow for increased capacity and improved coverage from other sources.

In order to offload capacity from County House, Barre Albion, and Shelby, a new dominant server must be created. This new dominant Delano Steele Rd, Oak Orchard Rd, Cushing Rd, E Barre Rd, Lime Kiln Rd, as well as neighboring residential and commercial areas along and near The primary objectives for this project are to increase capacity and improve coverage throughout the center portion of the Town of Barre, more specifically portions of Rt. 98, Maple St, Johnny Cake Ln, Miller Rd, Allis Rd, Bragg Schoolhouse Rd, W Barre Rd, Root Rd, Gillette Rd, Pusey Rd, coverage will effectively offload the existing overloaded sites/cells as well as provide improved coverage where significant gaps exist today.

the necessary antenna(s) to a new 170' self support tower located near 14295 W Barre Rd. Albion, NY 14411. Verizon's antennas will utilize 166' for the ACL (Antenna Center Line) with a top of antenna height of 170'. This solution will provide the necessary coverage and capacity improvements Following the search for co-locatable structures to resolve the aforementioned challenges and finding none available, Verizon proposes to attach



Wireless LTE (Voice and Data) Growth



Nireless smart city solutions are being used to track available parking and minimize pollution



pedestrian and bike traffic to help planning and These same solutions are being used to track minimize accidents.



Smart, wireless connected lighting enables cities to control lighting remotely, saving energy and reducing energy costs by 20%.



4G technology is utilized to track and plan vehicle deliveries to minimize travel, maximize efficiency, and minimize carbon footprint.



power usage down to the circuit level remotely, 4G technology is also used to monitor building predictive maintenance on machines and preventing energy waste and supporting equipment.



Wireless sensors placed in shipments are being used to track temperature-sensitive medications, preventing the spread of food-borne diseases that kill 3,000 Americans each year. equipment, and food. This is important for

Source: Verizon Innovation Center, February, 2018

A wireless network is like

highway system...

Wireless facilities

National studies demonstrate that most home buyers

Cell service in and around the



More than 75% of prospective home buyers said a good cellular connection was important to them.¹

The same study showed that 83% of Millennials (those born between 1982 and 2004) said cell service was the most important fact in purchasing a home.



service. Citizens need access to 911 and reverse 911 and wireless may be 90% of U.S. households use wireless



20,000 learning apps are available for iPads.

72% of iTunes top selling educational apps

are designed for preschoolers and

elementary students.

Wireless is a critical component in schools and for today's students.

of data per month in 2023, month in 2016 and 7.1 GB user will consume 48 GB up from just 5.2 GB per American smartphone per month in 2017.1 The average North



77% of parents think tablets are beneficial to kids.

74% of school administrators feel digital content increases student engagement.

600+ school districts replaced text books with tablets in classrooms.

Of American homes are wireless only.2



70% of teens use cellphones to help with

Source: CTA's Infographics Today's Wireless Family, October, 2017

homework.

average household has 13 connected devices In North America, the with smartphones ablets 6 to 1.3 outnumbering

Efficisson/buding Feport (wowanger 2017 CDC's 2018/wireless Subsitivator Early Release of Estimates From the Hational Health Interview Survey, January-July, 2018 IHS Market Comfeded Devoce falsaris (som of 2012) 61, June 7, 2015 value good cell service over many other factors including the proximity of schools when purchasing a home.



With over 80% of 9-1-1 calls from cell phones...1 now coming



911 calls are made annually. In

many areas, 80% or more are from wireless devices.

messages each second according to Cisco VNI Mobile Forecast Highlights, 2016-2021, Feb 2017

US, mobile data traffic was 1.3 Exabytes per month in 2016, the equivalent of 334 million

DVDs each month or 3,687 million text

and property values.

factor in home-buying decisions. home has emerged as a critical

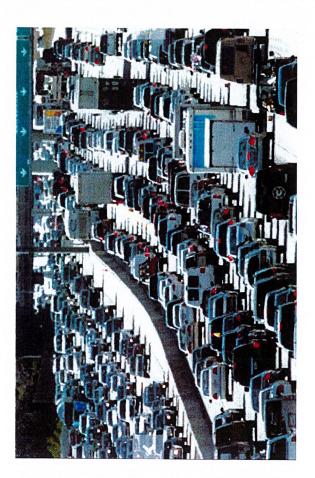
%06

heir only connection.²

Haltonal Emergency Number Association, Emancing 9-1-1 Operations With Automated Abandoned Caliback
& Location Acturacy (Motorola Solutions) (August 23, 2018)

10

Explanation of Wireless Capacity



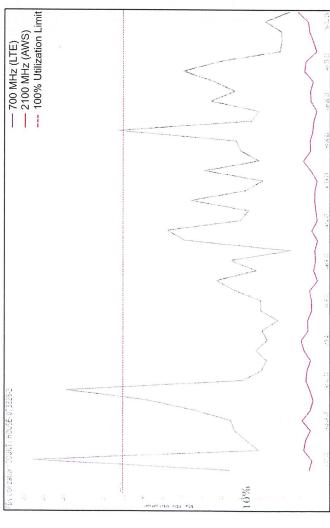
Capacity in this analysis is evaluated with up to three metrics further explained below. These metrics assist in determining actual usage for a given site as well as are used to project when a site is expected to run out of capacity (i.e. reach a point of exhaustion where it can no longer process the volume of voice and data requested by local wireless devices, thus no longer providing adequate service).

- Forward Data Volume ("FDV"), is a measurement of usage (data throughput) on a particular site over a given period of time.
- Average Schedule Eligible User ("ASEU"), is a measurement of the loading of the control channels and systems of a given site.
- Average Active Connections ("AvgAC") is a measurement of the number of devices actively connected to a site in any given time slot.

Verizon Wireless uses proprietary algorithms developed by a task force of engineers and computer programmers to monitor each site in the network and accurately project and identify when sites will approach their capacity limits. Using a rolling two-year window for projected exhaustion dates allows enough time, in most cases, to develop and activate a new site. It is critical that these capacity approaching sectors are identified early and the process gets started and completed in time for new solutions (sites) to be on air before network issues impact the customers.



Capacity Utilization FDV (County House Beta)



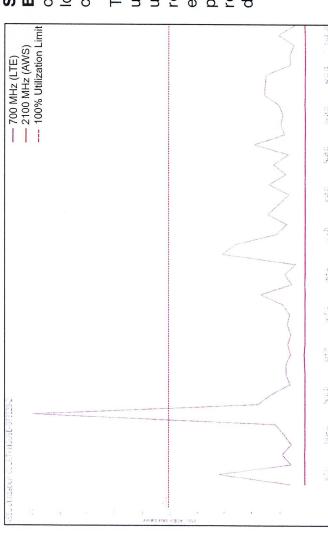
Summary: This graph shows FDV (**F**orward **D**ata **V**olume) which is a measurement of the customer data usage that this sector currently serves. As this limit is approached, data rates slow to unacceptable levels, potentially causing unreliable service for Verizon Wireless customers.

The purple line represents the daily max busy hour 700MHz utilization and the dark red line is daily max busy hour AWS utilization on the **Beta** sector of the **County House** site. The red dashed line is the limit where the sector reaches exhaustion and service starts to significantly degrade. The point in time where we see the purple or dark red lines reach or exceed the red dashed line is when service quickly degrades as usage continues to increase.

Detail: The existing County House sector shown above has exceeded its capability of supporting FDV requirements as shown by the purple and dark red lines exceeding the max utilization threshold (red dashed line). FDV is one of up to three metrics used in this presentation to evaluate capacity capability in this area.



Capacity Utilization ASEU (County House Beta)



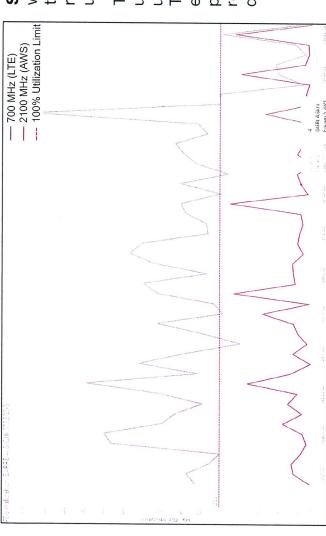
Summary: This graph shows ASEU (**A**verage **S**chedule **E**ligible **U**ser). ASEU is a measurement of the loading of the control channels and systems of a given site. The ASEU load is heavily impacted by distant users or those in poor RF conditions.

The purple line represents the daily max busy hour 700MHz utilization and the dark red line is daily max busy hour AWS utilization on the **Beta** sector of the **County House** site. The red dashed line is the limit where the sector reaches exhaustion and service starts to significantly degrade. The point in time where we see the purple or dark red lines reach or exceed the red dashed line is when service quickly degrades as usage continues to increase.

purple actual use line exceeding the red dashed exhaustion threshold. The solution is network extent of the large geographic area it covers. County House is overloaded, as shown by the **Detail**: The existing **County House** sector cannot support the traffic demand throughout the densification



FDV (Barre Albion Gamma) Capacity Utilization



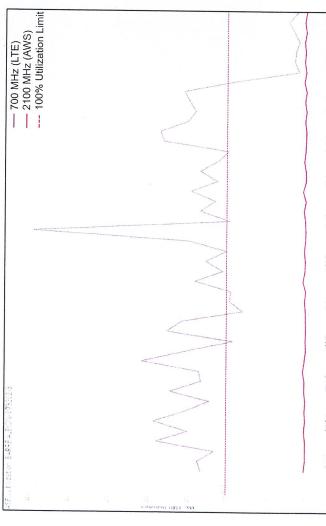
this sector currently serves. As this limit is approached, data Summary: This graph shows FDV (Forward Data Volume) which is a measurement of the customer data usage that rates slow to unacceptable levels, potentially causing unreliable service for Verizon Wireless customers.

The purple line represents the daily max busy hour 700MHz reach or exceed the red dashed line is when service quickly utilization and the dark red line is daily max busy hour AWS exhaustion and service starts to significantly degrade. The The red dashed line is the limit where the sector reaches utilization on the Gamma sector of the Barre Albion site. point in time where we see the purple or dark red lines degrades as usage continues to increase.

Detail: The existing Barre Albion sector shown above has exceeded its capability of supporting dashed line). FDV is one of up to three metrics used in this presentation to evaluate capacity FDV requirements as shown by the purple line exceeding the max utilization threshold (red capability in this area.



Capacity Utilization ASEU (Barre Albion Gamma)



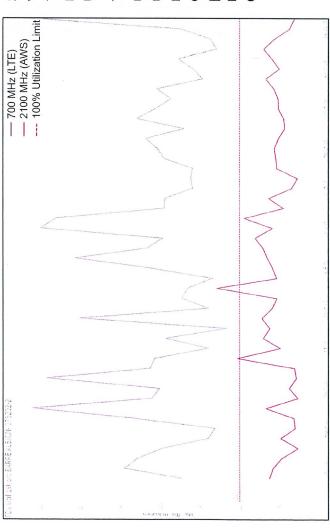
Summary: This graph shows ASEU (**A**verage **S**chedule **E**ligible **U**ser). ASEU is a measurement of the loading of the control channels and systems of a given site. The ASEU load is heavily impacted by distant users or those in poor RF conditions.

The purple line represents the daily max busy hour 700MHz utilization and the dark red line is daily max busy hour AWS utilization on the **Gamma** sector of the **Barre Albion** site. The red dashed line is the limit where the sector reaches exhaustion and service starts to significantly degrade. The point in time where we see the purple or dark red lines reach or exceed the red dashed line is when service quickly degrades as usage continues to increase.

Detail: The existing Barre Albion sector cannot support the traffic demand throughout the extent of the large geographic area it covers. Barre Albion is overloaded, as shown by the purple actual use line exceeding the red dashed exhaustion threshold. The solution is network densification.



FDV (Barre Albion Beta) Capacity Utilization



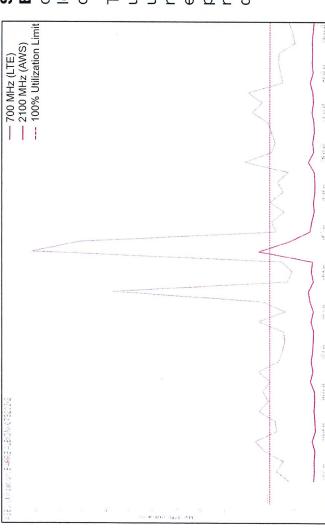
this sector currently serves. As this limit is approached, data Summary: This graph shows FDV (Forward Data Volume) which is a measurement of the customer data usage that rates slow to unacceptable levels, potentially causing unreliable service for Verizon Wireless customers.

The purple line represents the daily max busy hour 700MHz reach or exceed the red dashed line is when service quickly utilization and the dark red line is daily max busy hour AWS exhaustion and service starts to significantly degrade. The utilization on the Beta sector of the Barre Albion site. The point in time where we see the purple or dark red lines red dashed line is the limit where the sector reaches degrades as usage continues to increase.

Detail: The existing Barre Albion sector shown above has exceeded its capability of supporting dashed line). FDV is one of up to three metrics used in this presentation to evaluate capacity FDV requirements as shown by the purple line exceeding the max utilization threshold (red capability in this area.



ASEU (Barre Albion Beta) Capacity Utilization



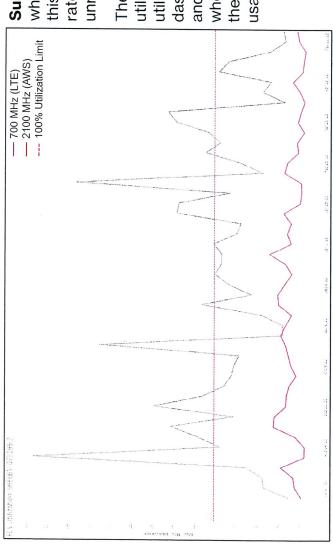
load is heavily impacted by distant users or those in poor RF Eligible User). ASEU is a measurement of the loading of the control channels and systems of a given site. The ASEU Summary: This graph shows ASEU (Average Schedule conditions.

The purple line represents the daily max busy hour 700MHz reach or exceed the red dashed line is when service quickly utilization and the dark red line is daily max busy hour AWS exhaustion and service starts to significantly degrade. The utilization on the Beta sector of the Barre Albion site. The point in time where we see the purple or dark red lines red dashed line is the limit where the sector reaches degrades as usage continues to increase.

Detail: The existing Barre Albion sector cannot support the traffic demand throughout the extent of the large geographic area it covers. Barre Albion is overloaded, as shown by the purple actual use line exceeding the red dashed exhaustion threshold. The solution is network densification.



Capacity Utilization FDV (Shelby Beta)



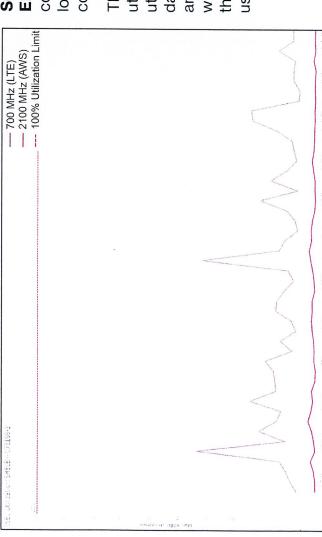
this sector currently serves. As this limit is approached, data The purple line represents the daily max busy hour 700MHz Summary: This graph shows FDV (Forward Data Volume) which is a measurement of the customer data usage that rates slow to unacceptable levels, potentially causing unreliable service for Verizon Wireless customers.

dashed line is the limit where the sector reaches exhaustion and service starts to significantly degrade. The point in time utilization and the dark red line is daily max busy hour AWS where we see the purple or dark red lines reach or exceed utilization on the Beta sector of the Shelby site. The red the red dashed line is when service quickly degrades as usage continues to increase.

(red dashed line). FDV is one of up to three metrics used in this presentation to evaluate capacity requirements as shown by the purple and dark red lines exceeding the max utilization threshold **Detail**: The existing **Shelby** sector shown above has exceeded its capability of supporting FDV capability in this area



ASEU (Shelby Beta) Capacity Utilization



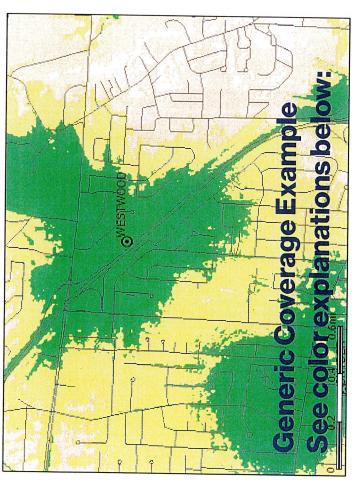
load is heavily impacted by distant users or those in poor RF Eligible User). ASEU is a measurement of the loading of the control channels and systems of a given site. The ASEU Summary: This graph shows ASEU (Average Schedule conditions.

The purple line represents the daily max busy hour 700MHz dashed line is the limit where the sector reaches exhaustion and service starts to significantly degrade. The point in time utilization and the dark red line is daily max busy hour AWS where we see the purple or dark red lines reach or exceed utilization on the Beta sector of the Shelby site. The red the red dashed line is when service quickly degrades as usage continues to increase.

the large geographic area it covers. Shelby is overloaded, as shown by the purple actual use line Detail: The existing Shelby sector cannot support the traffic demand throughout the extent of exceeding the red dashed exhaustion threshold. The solution is network densification.



Explanation of Wireless Coverage



Coverage is best shown via coverage maps. RF engineers use computer simulation tools that take into account terrain, vegetation, building types, and site specifics to model the RF environment. This model is used to simulate the real world network and assist engineers to evaluate the impact of a proposed site (along with industry experience and other tools).

Many Verizon Wireless sites provide 3G CDMA at 850 MHz and 4G LTE at 700 MHz. As capacity requirements increase, higher frequency PCS (1900 MHz) and AWS (2100 MHz) carriers are added. In some mountaintop situations the mid band (higher frequency) AWS and PCS carriers are not fully effective due to excessive distance from the user population.

Coverage provided by a given site is affected by the frequencies used. Lower frequencies propagate further distances, and are less attenuated by clutter than higher frequencies. To provide similar coverage levels at higher frequencies, a denser network of sites is required (network densification).

Note the affect of clutter on the predicted coverage footprint above

**Dark Green >/= -75dBm RSRP, typically serves dense urban areas as well as areas of substantial construction (colleges, hospitals, dense multi family etc.) Orange >/= -105dBm RSRP, rural highway coverage, subject to variable conditions including fading and seasonality gaps Green >/= -85dBm RSRP, typically serves suburban single family residential and light commercial buildings Yellow >/= -95dBm RSRP, typically serves most rural/suburban-residential and in car applications White = <-105dBm RSRP, variable to no reliable coverage gap area

More detailed, site-specific coverage slides are later in the presentation

*Signal strength requirements vary as dictated by specific market conditions

** Not displayed in example map, layer not used in all site justifications



Explanation of this Search Area



Barre Corners Search Area

A **Search Area** is the geographical area within which a new site is targeted to solve a coverage or capacity deficiency. Three of the factors taken into consideration when defining a search area are topography, user density, and the existing network.

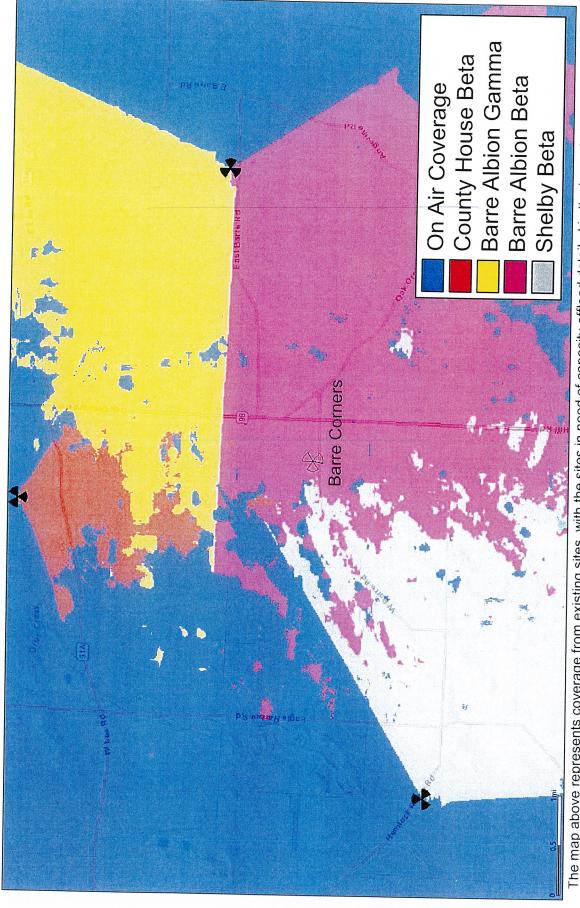
- **Topography** must be considered to minimize the obstacles between the proposed site and the target coverage area. For example, a site at the bottom of a ridge will not be able to cover the other side from a certain height.
- In general, the farther from a site the **User Population** is, the weaker the RF conditions are and the worse their experience is likely to be. These distant users also have an increased impact on the serving site's capacity. In the case of a multi sector site, centralized proximity is essential to allow users to be evenly distributed and allow efficient utilization of the site's resources.
- The existing **Network Conditions** also guide the design of a new site. Sites placed too close together create interference due to overlap and are an inefficient use of resources. Sites that are too tall or not properly integrated with existing sites cause interference and degrade service for existing users.
- Existing co-locatable structures inside the search area as well as within a reasonable distance of the search area are submitted by site acquisition and reviewed by RF Engineering. If possible, RF will make use of existing or nearby structures before proposing to build new towers.

estored. The new Barre Corners site will provide dominant and dedicated signal to the identified portions of the Town of Barre. This helps to improve not only the Barre Corners project area but will also indirectly result with To resolve the coverage and capacity deficiencies previously detailed, Verizon Wireless is seeking to add one new cell facility within this area to improve wireless service capacity and coverage. By offloading traffic from significant improvements to the above mentioned overloaded sites ultimately improving the center portion of County House, Barre Albion, and Shelby with the proposed site, adequate and reliable service will be Barre (area) as well as areas surrounding the Barre Corners project area.



Existing 700MHz Best Server -105dBm RSRP

Best Server plots depict the actual footprint of each sector in question at one threshold so the viewer can accurately evaluate the area offloaded by the new sites dominant signal area.

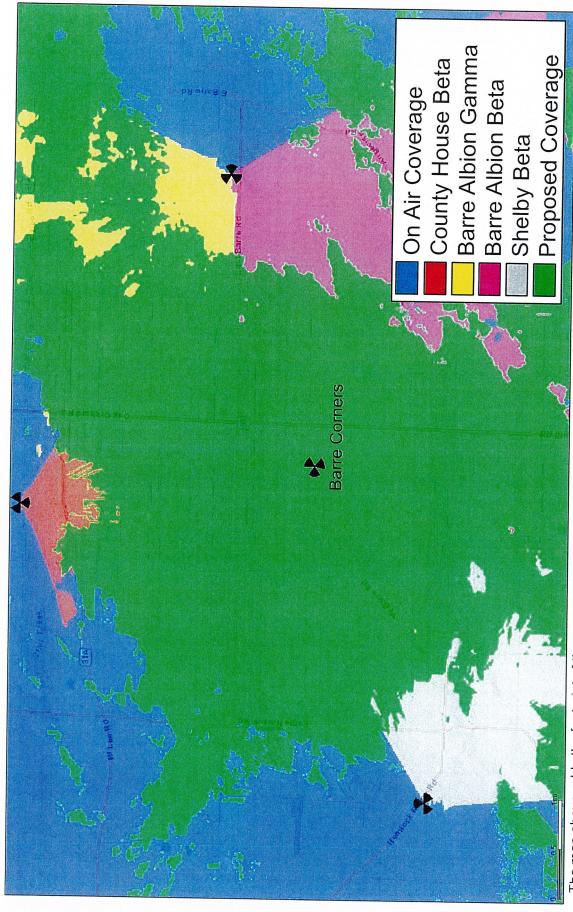


The map above represents coverage from existing sites, with the sites in need of capacity offload detailed in the legend above. Blue coverage is from other on air sites.



Proposed 700MHz Best Server -105dBm RSRP

Best Server plots depict the actual footprint of each sector in question at one threshold so the viewer can accurately evaluate the area offloaded by the new sites dominant signal area (at 166' ACL)

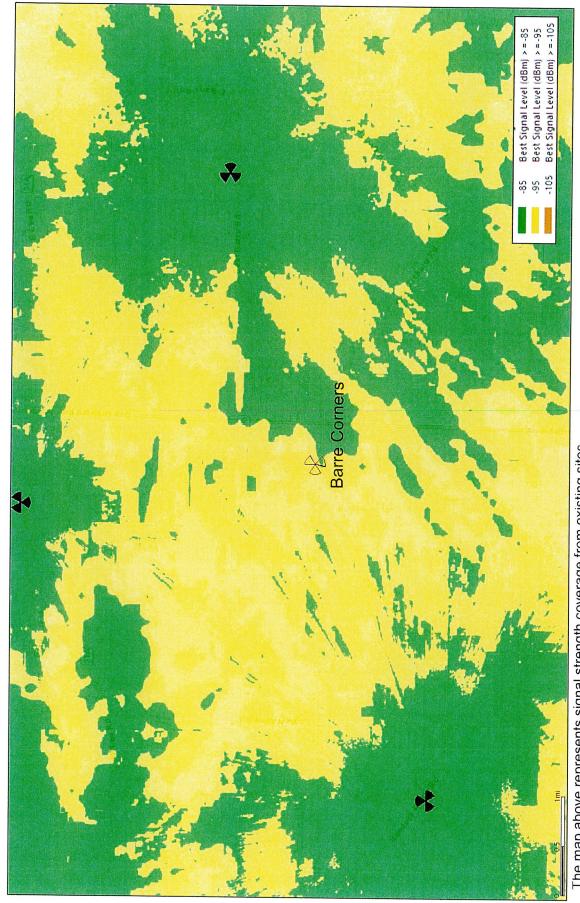


coverage and capacity throughout the identified significant gap area. This will help to resolve the coverage and capacity issues impacting The map above adds the footprint of the proposed Barre Corners site in green. The green best server footprint provides improved the existing overloaded sectors identified in the image above.

Verizon

Existing 700MHz Coverage

This coverage map shows how weak the RF conditions are in and around the Barre Corners site area. *Refer to slide 14 for further explanation of these color thresholds*

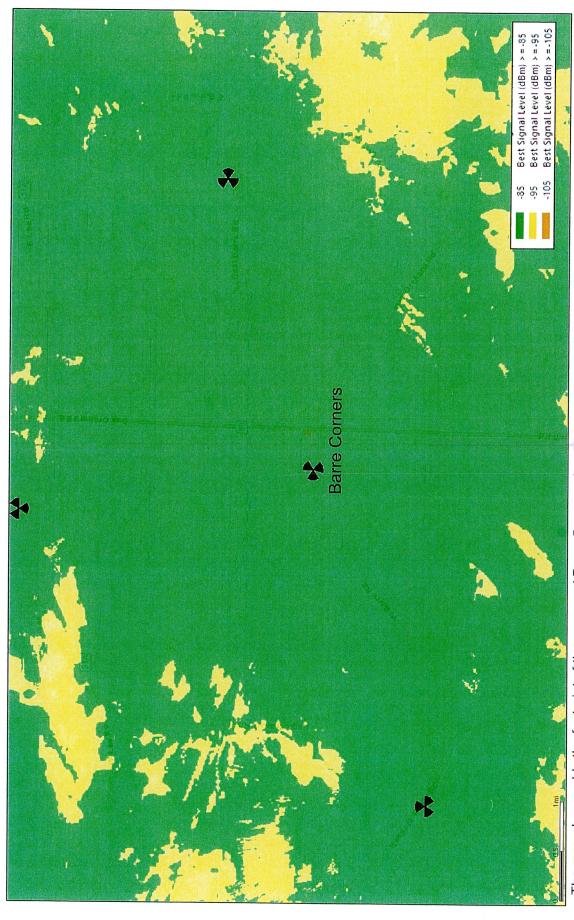


The map above represents signal strength coverage from existing sites.

verizon

Proposed 700MHz Coverage

This coverage map shows how improved the RF conditions will be in and around the Barre Corners site area (at 166' ACL). Refer to slide 14 for further explanation of these color thresholds

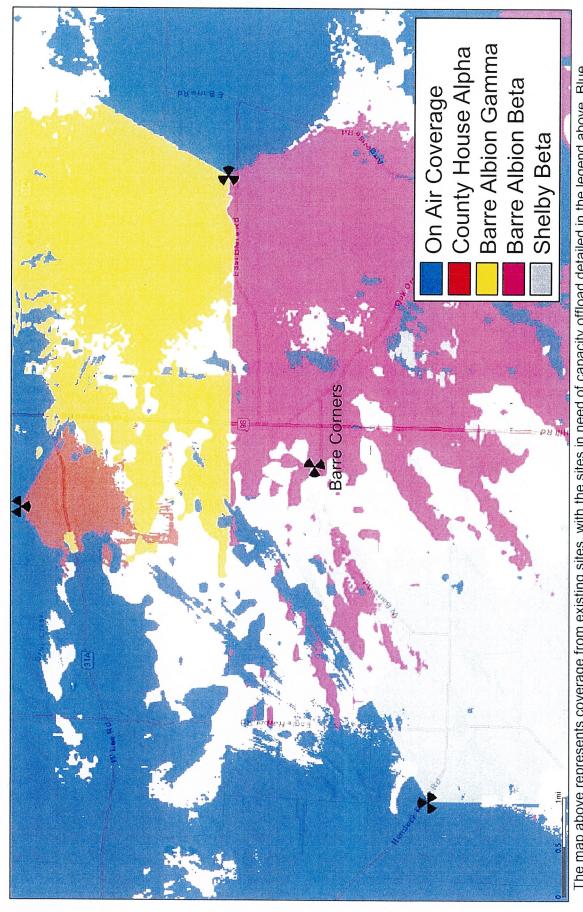


The map above adds the footprint of the proposed Barre Corners site. The significantly improved signal strength corresponds to improved coverage and capacity throughout the identified significant gap area. This will help to resolve the coverage and capacity issues impacting the aforementioned existing overloaded sectors currently serving the Barre Corners project area.

verizon

Existing 2100MHz Best Server -105dBm RSRP

Best Server plots depict the actual footprint of each sector in question at one threshold so the viewer can accurately evaluate the area offloaded by the new sites dominant signal area.

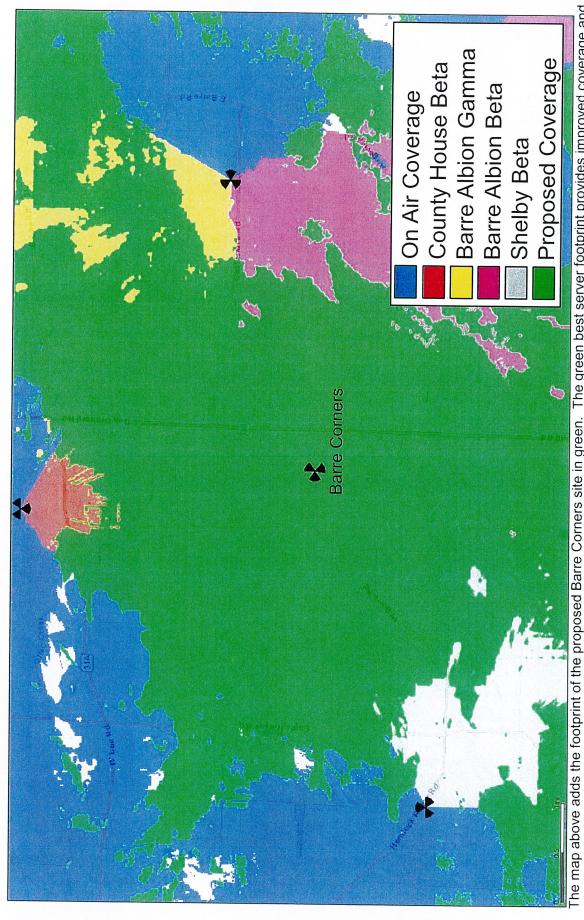


The map above represents coverage from existing sites, with the sites in need of capacity offload detailed in the legend above. Blue coverage is from other on air sites.



Proposed 2100MHz Best Server -105dBm RSRP

Best Server plots depict the actual footprint of each sector in question at one threshold so the viewer can accurately evaluate the area offloaded by the new sites dominant signal area (at 166' ACL).

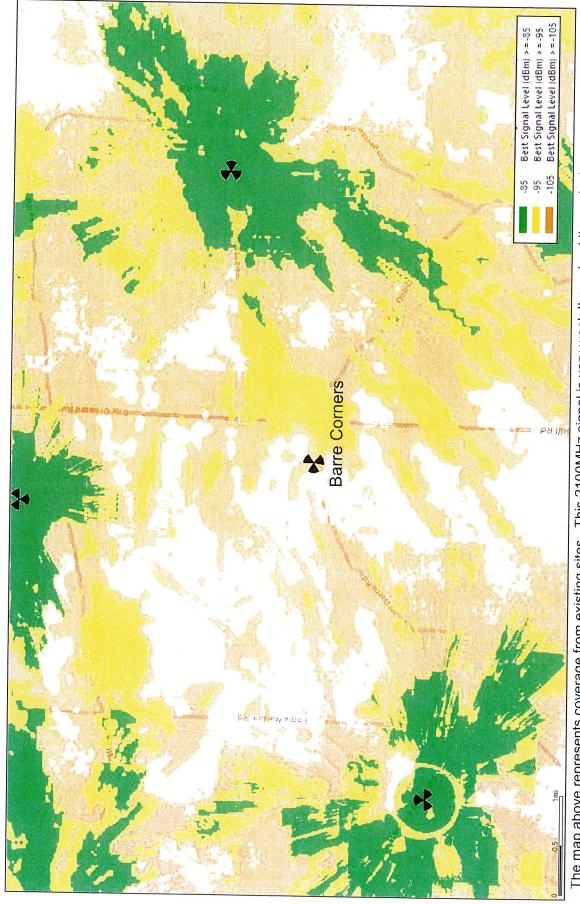


capacity throughout the identified significant gap area. This will help to resolve the coverage and capacity issues impacting the existing overloaded The map above adds the footprint of the proposed Barre Corners site in green. The green best server footprint provides improved coverage and sectors identified in the image above.



Existing 2100MHz Coverage

This coverage map shows the RF conditions in and around the Barre Corners site area. Refer to slide 14 for further explanation of these color thresholds

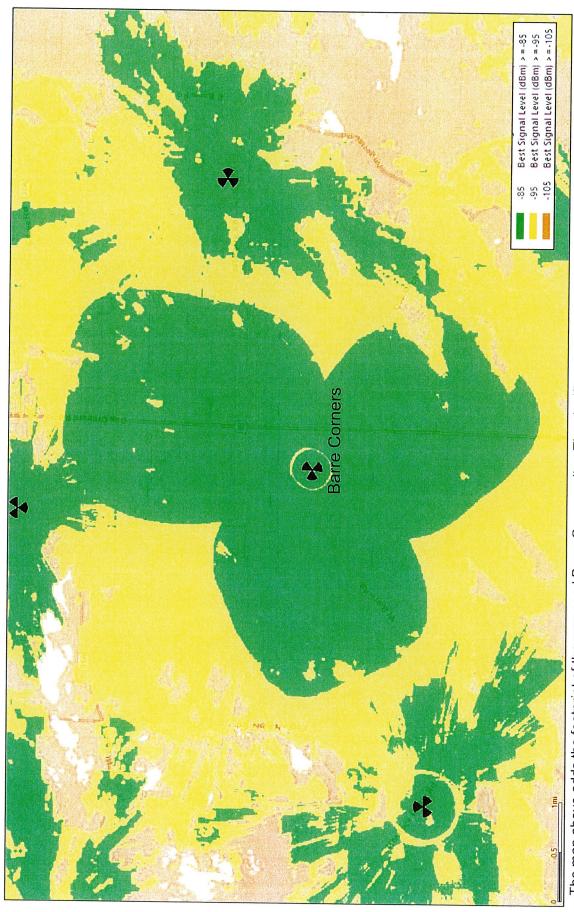


The map above represents coverage from existing sites. This 2100MHz signal is very weak throughout the project area. Additional mid band network densification is required to resolve these conditions.

Verizon

Proposed 2100MHz Coverage

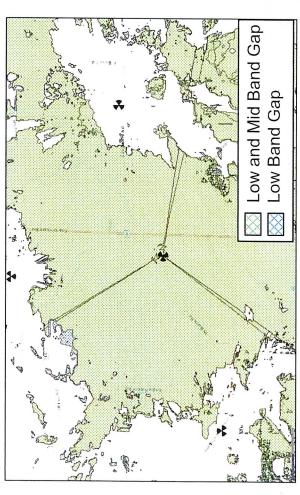
This coverage map shows how improved the RF conditions will be in and around the Barre Corners site area (at 166' ACL). Refer to slide 14 for further explanation of these color thresholds



The map above adds the footprint of the proposed Barre Corners site. The significantly improved signal strength corresponds to improved coverage and capacity throughout the identified significant gap area. This will help to resolve the coverage and capacity issues impacting the aforementioned existing overloaded sectors currently serving the Barre Corners project area.



RF Justification Summary



The proposed site at 166' ACL resolves the substantial and significant gaps in coverage and capacity impacting the Barre Corners project area. The gaps are shown in the above graphic: The shaded areas as detailed in the legend represent gaps in coverage and capacity that the Barre Corners (site) will resolve.

leficiencies, Verizon Wireless' network does not have sufficient capacity topography and specific area requiring service, any further addition of capacity to distant existing sites does not remedy Verizon's significant gap in reliable service. Therefore, the proposed facility is also needed to allowing the proposed facility and those neighboring sites to adequately serve the existing and projected capacity demand in this area. **coverage and capacity** in the **Town of Barre**. It was determined that there are significant gaps in adequate LTE service for Verizon Wireless The network was analyzed to determine whether there is sufficient **RF** n the 700 and 2100MHz frequency bands. In addition to the coverage low band or mid band) to handle the existing and projected LTE voice provide "capacity relief" to the existing nearby Verizon Wireless sites, . Based on the and data traffic in the area near and neighboring the proposed Barre need for additional coverage and capacity while considering the **Corners** facility ("targeted service improvement area")

the Town of and the Barre Corners project area. The proposed location capacity needs of Verizon Wireless and its subscribers in this portion of depicted herein satisfies the identified service gaps and is proposed at expert opinion that the proposed height will satisfy the coverage and With the existing network configuration there are significant gaps in service which restricts Verizon Wireless customers from originating, maintaining or receiving reliable calls and network access. It is our the minimum height necessary for adequate service.

Phillip A. Colantonio

Phillip A. Colantonio Engineer III – RF Design Verizon Wireless

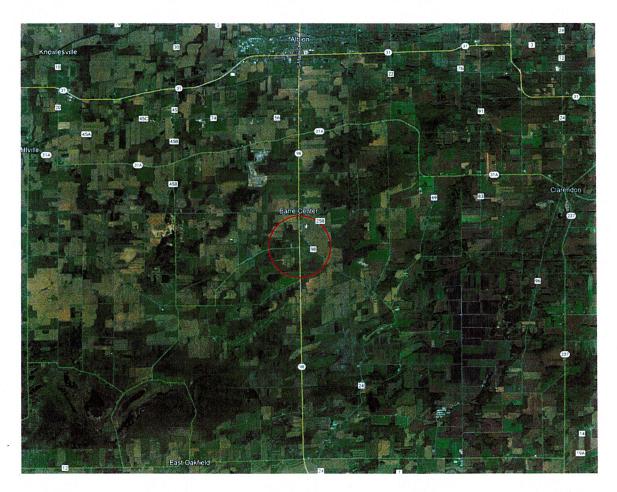


Site Name: Barre Corners New Build Macro Telecommunications Facility Site Selection/Search Analysis Prepared on July 31, 2023

NB+C, is an authorized Verizon Wireless contractor and has been tasked by Verizon Wireless to assist in site selection from acquisition through permitting for a new macro wireless telecommunications facility (the "Facility") in the Town of Barre, Orleans County, New York. This Site Selection Analysis has been prepared to summarize the manner in which the proposed site was selected.

When a network need is identified (e.g., a gap in coverage and/or capacity constraints), the Verizon RF Engineer first determines, through a comprehensive analysis of the system performance in the surrounding network, whether the existing network can be modified to solve the problem using antenna/equipment upgrades on existing facilities. If this is not possible and a new wireless facility is required, the RF Engineer devises a search area (SA). A search area is the target area for locating a Facility within, on which to build the new Facility to solve the identified network performance problem.

See below for the Barre Corners macro SA:



Once the search area is determined, it is given to a Site Acquisition Firm, such as NB+C, for an indepth investigation of the targeted area. Site Acquisition will look to identify appropriate locations within the SA on which to develop the new Facility. As part of this investigation, Site Acquisition will:

- Work with Verizon Wireless' land use and zoning attorneys, who will review local zoning requirements with respect to the installation and operation of a new wireless telecommunications facility.
- Work with a site engineer to develop property overlays of the search area for identifying tax maps, elevations & contours, federal and state designated wetlands, and aerial photos.
- Develop a list of property owners within search area and remove from consideration parcels that will not meet design criteria.
- Perform a site visit to identify any potential negative impacts within the search area, locate features that would be beneficial to the locating of a Facility, and to canvas/solicit identified landowners as noted above, that would be interested in pursuing a Facility under a ground lease agreement.

Factors that are used to narrow a list of potential properties within the SA that might be available for a new facility include impacts to existing residential houses, available land area within a parcel, special zoning districts, property line setbacks, potential level for access, elevations/contours, and impacts to wetlands.

The SA is located in Orleans County and is in the Town of Barre. The area is a mix of general business, residential, and agriculture uses. It Includes portions of NYS Rte 98, West Barre Rd, Oak Oarchard Rd & East Barre Rd. Mapped wetlands were noted throughout SA, primarily the southern and northwestern sections, and factored into candidate selection. There is approx. 80' elevation change across the SA, which is also a major factor in candidate selection. Of note, no tall structures or towers exist within the SA suitable for telecommunication uses.

Potential candidates were also searched for in areas adjacent to SA. Candidate list is the result of a process that started with all tax parcels within and adjacent to the SA. The Town of Barre permits telecommunication facilities upon Site Plan Review and the issuance of a Special Use Permit by the Planning Board. A Use Variance will be required as Verizon's selected candidate is within an R-1 disctrict. An Area Variance will also be required from the Zoning Board as the tower will exceed the town's 35' allowance. Tower must be setback from the front 75', rear 15' and side 15'. These parameters were all factored into site selection.

After determining a list of potential properties suitable for a Facility, a site visit was conducted on November 17, 2022 to meet with as many property owners as possible and have a conversation to determine interest. This resulted in several interested parties listed as candidates. A certified letter seeking confirmation of interest was sent to each remaining property owner that was unavailable during the site visit. The results of the search are below.

Although every attempt is made to reach out to potential landowners within the SA to solicit interest, the final decision on selecting a primary candidate resides with the Verizon RF team in determining the best suitable location for the network.

The aerial map below shows potential selected candidates for Verizon to consider. Candidates with yellow pins are interested parties located within the SA. Interested parties that are outside of the SA are labeled with blue pins. Non-interested or un-responsive landowners are labeled with red pins.





Potential candidates within the SA as shown on a tax map and are further described below:

The search process resulted in 16 potential candidates/interested parties. Candidates which were evaluated and considered for a Facility are listed below with the final results and the subsequent evaluation by Site Acquisition/RF noted:

Candidate A: (Selected Candidate)

Tax parcel 106.-1-73.1; 208 acres of land. Owner: David S. Daniels, Trustee of Frederick A. Daniels & Adrienne C. Daniels Irrevocable Trust

Parcel is mostly undeveloped forested land and open fields with the highest elevation in the SA. Plenty of road frontage and easy access to site. Candidate is very interested. Candidate was selected as the primary candidate by RF and is currently under lease with Verizon.

Candidate B:

Tax parcel 106.-1-74.111; 60 acres of land. Owner: Thomas C., Thomas E. & Stephen T. Hicks

Parcel is mostly undeveloped forested land with the second highest elevation in the SA. This parcel would require a much longer access road and underground utility run than Candidate A and require significantly more tree clearing. Candidate was selected as the primary candidate by RF.

Candidate C:

Tax parcel 106.-1-66.1; 5 acres of land. Owner: Town Highway Bldgs & Town Office Bldgs

The town is not certain of their future expansion plans for this parcel, but willing to consider it as a tower location. The property may not be feasable due to size, however is being listed as a candidate for consideration due to being Town property. Candidate was not selected by RF.

Candidate D:

Tax parcel 106.-1-36.1; 213 acres of land. Owner: Panek Brothers, LLC

Parcel is farmland with easy access. 40' lower elevation than candidate A. Candidate was not selected by RF.

Candidate E:

Tax parcel 106.-1-57.2; 61 acres of land. Owner: Garrett VanLieshout

Parcel is farmland with easy access. Property owner advised that this parcel is leased to Hertigage who has wind rights to the property, which will limit Verizon's potential uses. Candidate was not selected by RF.

Candidate F:

Tax parcel 106.-1-44.2; 26 acres of land. Owner: Michael & Andrew VanLieshout

Parcel is farmland with easy access. Property owner advised that this parcel is leased to Hertigage who has wind rights to the property, which will limit Verizon's potential uses. Candidate was not selected by RF.

Candidate G:

Tax parcel 106.-1-74.111; 60 acres of land. Owner: Thomas C., Thomas E. & Stephen T. Hicks

This is an alternate option on the same parcel as candidate C on Quaker Rd. Parcel is undeveloped forested and cleared land. Candidate was not selected by RF.

Candidate H:

Tax parcel 106.-1-5; 99 acres of land. Owner: GLK Farms, LLC

Parcel is farmland with easy access. Candidate was not selected by RF.

Candidate I:

Tax parcel 106.-1-4.121; 69 acres of land. Owner: Panek Brothers, LLC

Parcel is farmland with easy access. Candidate was not selected by RF.

Candidate J:

Tax parcel 106.-1-6; 137 acres of land. Owner: Andrew & Michael VanLieshout

Parcel is mostly undeveloped forested land. Alternative option to candidate A. Candidate was not selected by RF.

Candidate K:

Tax parcel 106.-1-73.1; 208 acres of land. Owner: David S. Daniels, Trustee of Frederick A. Daniels & Adrienne C. Daniels Irrevocable Trust

Parcel is farmland with easy access. Candidate was not selected by RF.

Candidate L:

Tax parcel 95.3-1-45; 2.2 acres of land. Owner: Barre Fire Co

Small parcel with a 120' town water tower, north of the SA. The Fire Co would be interested in considering a monopole next to the water tower. Candidate was not selected by RF.

Candidate M:

Tax parcel 106.-1-21.211; 80 acres of land. Owner: Michael & Karen Conlon

Parcel is undeveloped forest. There are Federal and DEC wetlands south of the parcel that can be avoided. Candidate was not selected by RF.

Candidate N:

Tax parcel 106.-1-43.221; 37 acres of land. Owner: Christina Snook & Sonja Schad

Parcel is undeveloped forest with a large cleared area. Candidate was not selected by RF.

Candidate O:

Tax parcel 106.-1-42.2; 39 acres of land. Owner: Thomas Bently

Parcel is mostly undeveloped forest and cleared farmland. Candidate was not selected by RF.

Candidate P:

Tax parcel 106.-1-36.1; 41 acres of land. Owner: Panek Brothers, LLC

Parcel, mostly used as farmland at the edge of the SA. Candidate was not selected by RF.

Other Owner Interest:

As noted above, numerous other parcels within the search area were eliminated from consideration early in the screening process due to minimal lot size or wetland impacts. During the site visit an effort was made to speak with as many property owners of targeted properties in order to gauge interest. Land owners that were unavailable that day had a NB+C business card and brief description of the scope left for future correspondence requesting that they contact NB+C. A follow-up certified letter was sent to property owners that were either not home during the site visit and/or were unable to be contacted through other efforts, to confirm any interest.

The following properties either declined interest or did not respond. These locations were NOT reviewed by the RF engineer as there was no interest from landowner.

1171-24.212	Pusey Rd	Joseph Mathes	Unresponsive
106-1-64.1	Quaker Hill Rd	Debbie & Robert Reumann	Declined
106-1-58.1	Quaker Hill Rd	Jean & Cathy Depatie	Declined
1171-18.3	Quaker Hill Rd	Maria Coccitti	Unresponsive
1061-7	East Barre Rd	Jason & Cheri Zicari	Unresponsive
1061-59.1	Quaker Hill Rd	Jeffrey Worthington	Unresponsive
1061-59.2	Quaker Hill Rd	Jeffrey Worthington	Unresponsive
1061-75	West Barre Rd	Bradley Shaughnessy	Unresponsive
1171-4.1	Root Rd	Charles & Mark Torrey	Unresponsive

Conclusion:

After canvasing this Search Area, it has been determined that Candidate A is the primary property that will best meet RF coverage/capacity objectives for a new macro Facility. The property is currently unutilized forestland/open fields. The Town of Barre permits telecommunication facilities upon Site Plan Review and the issuance of a Special Use Permit by the Planning Board. As the selected candidate is within an R-1 district, a Use Variance will be required as well as an Area Variance from the Zoning Board as the tower will exceed the town's 35' allowance. It was determined that ground elevation on this site offered the best coverage and existing trees and vegetation will provide a buffer/screen for the tower. Verizon and the property owner have entered into a lease for the construction of a tower. This macro site is intended to provide increased wireless telecommunications coverage in an area where Verizon Wireless' existing macro cell network is overburdened by demand and is lacking on coverage for its' network.

Sincerely,

Dustin Wyman

Dustin Wyman

Site Acquisition Associate

NETWORK BUILDING + CONSULTING

PO Box 681 | Fulton, NY | 13069 P 315.297-0065

Corporate: 6095 Marshalee Dr. | Suite 300 | Elkridge MD | 21075

ULS License

AWS-3 (1695-1710 MHz, 1755-1780 MHz, and 2155-2180 MHz) License - WQVN927 - Cellco **Partnership**

Call Sign

WQVN927

Radio Service

AT - AWS-3 (1695-1710 MHz, 1755-1780

MHz, and 2155-2180 MHz)

Status

Active

Auth Type

Regular

Rural Service Provider Bidding Credit

Is the Applicant seeking a Rural Service Provider (RSP) bidding credit?

Reserved Spectrum

Reserved Spectrum

Market

Market

BEA007 - Rochester, NY-PA

Channel Block

Submarket

3.7 GHz Linked License

Associated Frequencies 001770.00000000-001780.00000000

(MHz)

002170.00000000-002180.00000000

3.7 GHz License Type

Dates

Grant

04/08/2015

Expiration Cancellation 04/08/2027

Effective 11/01/2016

Buildout Deadlines

04/08/2021

2nd

04/08/2027

Discontinuance Dates

1st

2nd

Notification Dates

1st

03/10/2021

2nd

03/10/2021

Licensee

FRN

0003290673

Туре

General Partnership

Licensee

Cellco Partnership

5055 North Point Pkwy, NP2NE Network Engineering

Alpharetta, GA 30022

ATTN Regulatory

P:(770)797-1070

F:(770)797-1036

E:licensingcompliance@verizonwireless.com

Contact

Cellco Partnership Licensing Manager

5055 North Point Pkwy, NP2NE Network Engineering

Alpharetta, GA 30022 ATTN Regulatory

P:(770)797-1070 F:(770)797-1036

E:LicensingCompliance@VerizonWireless.com

Radio Service Type Regulatory Status

Mobile

Interconnected

Yes

Alien Ownership

The Applicant answered "No" to each of the Alien Ownership questions.

Basic Qualifications

The Applicant answered "No" to each of the Basic Qualification questions.

Common Carrier

Tribal Land Bidding Credits

This license did not have tribal land bidding credits.

Race

Ethnicity

Gender

AWS (1710-1755 MHz and 2110-2155 MHz) License - WQGA715 - Cellco Partnership

Call Sign

WQGA715

Status

Active

Radio Service

AW - AWS (1710-1755 MHz and 2110-2155 MHz)

Auth Type

Regular

Rural Service Provider Bidding Credit

Is the Applicant seeking a Rural Service Provider (RSP) bidding credit?

Reserved Spectrum

Reserved Spectrum

Market

Market Submarket

REA001 - Northeast

Channel Block

Associated Frequencies

3.7 GHz Linked License

(MHz)

001745.00000000-001755.00000000 002145.00000000-002155.00000000

3.7 GHz License Type

Dates Grant

Effective

12/14/2021

12/14/2021

Expiration Cancellation 11/29/2036

Buildout Deadlines

1st

Discontinuance Dates

Notification Dates

1st

2nd

2nd 2nd

08/26/2021

FRN

0003290673

Type

General Partnership

Licensee

Cellco Partnership

5055 North Point Pkwy, NP2NE Network Engineering

Alpharetta, GA 30022

P:(770)797-1070 F:(770)797-1036

E:LicensingCompliance@VerizonWireless.com

Contact

Cellco Partnership Licensing - Manager

5055 North Point Pkwy, NP2NE Network Engineering

Alpharetta, GA 30022

P:(770)797-1070 F:(770)797-1036

E:LicensingCompliance@VerizonWireless.com

Radio Service Type

Mobile

Regulatory Status

Common Carrier

Interconnected

Yes

Alien Ownership

Is the applicant a foreign government or the representative of any foreign government?

No No

Is the applicant an alien or the representative of an alien? Is the applicant a corporation organized under the laws of any foreign government?

No No

Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?

Is the applicant directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country?

The Alien Ruling question is not answered.

Basic Qualifications

The Applicant answered "No" to each of the Basic Qualification questions.

Tribal Land Bidding Credits

This license did not have tribal land bidding credits.

Ethnicity

Gender

AWS (1710-1755 MHz and 2110-2155 MHz) License - WQPZ962 - Cellco Partnership

Call Sign WQPZ962 Radio Service AW - AWS (1710-1755 MHz and 2110-2155 Active Auth Type Regular Rural Service Provider Bidding Credit Is the Applicant seeking a Rural Service Provider (RSP) bidding credit? **Reserved Spectrum** Reserved Spectrum Market Market REA001 - Northeast Channel Block Submarket 13 Associated Frequencies 001740.00000000-001745.00000000 (MHz) 002140.00000000-002145.00000000 3.7 GHz License Type 3.7 GHz Linked License **Dates** Grant 02/16/2022 Expiration 11/29/2036 Effective 02/16/2022 Cancellation **Buildout Deadlines** Discontinuance Dates 1st 2nd **Notification Dates** 2nd 10/04/2021 FRN 0003290673 Туре General Partnership Licensee Cellco Partnership P:(770)797-1070 5055 North Point Pkwy, NP2NE Network Engineering F:(770)797-1036 Alpharetta, GA 30022 E:LicensingCompliance@VerizonWireless.com Cellco Partnership P:(770)797-1070 F:(770)797-1036

Contact

Licensing Manager 5055 North Point Pkwy, NP2NE Network Engineering Alpharetta, GA 30022

E:LicensingCompliance@VerizonWireless.com

Radio Service Type Mobile Regulatory Status Common Carrier Interconnected Yes Alien Ownership Is the applicant a foreign government or the representative of any foreign government? No Is the applicant an alien or the representative of an alien? No Is the applicant a corporation organized under the laws of any foreign government? No Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country? No Is the applicant directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign Yes

The Alien Ruling question is not answered.

Basic Qualifications

The Applicant answered "No" to each of the Basic Qualification questions.

Tribal Land Bidding Credits

This license did not have tribal land bidding credits.

Race

Ethnicity

Gender

Cellular License - KNKA297 - Bell Atlantic Mobile Systems of Allentown, Inc.

	nse has pending applications: 00014	114628	
Call Sign	KNKA297	Radio Service	CL - Cellular
Status	Active	Auth Type	Regular
Market			
Market	CMA034 - Rochester, NY	Channel Block	В
Submarket	0	Phase	2
Dates			Bereit Land Francisco
Grant	04/14/2015	Expiration	05/15/2025
Effective	12/09/2016	Cancellation	
Five Year Build	dout Date		
10/01/1989			
Control Points	Helpale and Logist and Control of		
3	500 W. Dove Rd., TARRANT, South	nlake, TX	
	P: (800)264-6620	The second second	
Licensee			
FRN	0003301512	Type	Corporation
icensee	The state that the state of the		
5055 North Poin Alpharetta, GA 3		P:(770)797-1070 F:(770)797-1036 E:LicensingCompli	ance@VerizonWireless.com
ATTN Regulatory	y		
ATTN Regulatory Contact Verizon Wireless Liensing Manage	s er t Pkwy, NP2NE Network Engineering 80022	P:(770)797-1070 F:(202)289-6781	ance@VerizonWireless.com
ATTN Regulatory Contact /erizon Wireless Liensing Manage 5055 North Poin Alpharetta, GA 3 ATTN Regulatory	s er t Pkwy, NP2NE Network Engineering 80022	P:(770)797-1070 F:(202)289-6781	
Contact Verizon Wireless Liensing Manage S055 North Poin Alpharetta, GA 3 ATTN Regulatory	t Pkwy, NP2NE Network Engineering 80022	P:(770)797-1070 F:(202)289-6781	
Contact /erizon Wireless Liensing Manage 5055 North Poin Alpharetta, GA 3 ATTN Regulatory Ownership and	t Pkwy, NP2NE Network Engineering 80022	P:(770)797-1070 F:(202)289-6781 E:LicensingCompli	
Contact Verizon Wireless Liensing Manage SO55 North Poin Alpharetta, GA 3 ATTN Regulatory Commership and Radio Service Ty	t Pkwy, NP2NE Network Engineering 80022 I Qualifications Type Mobile Common Carrier Interco	P:(770)797-1070 F:(202)289-6781	
Contact Verizon Wireless Liensing Manage 1055 North Poin Alpharetta, GA 3 ATTN Regulatory Commership and Ladio Service Ty Legulatory Statu Lien Ownership and	t Pkwy, NP2NE Network Engineering 80022 // I Qualifications //pe Mobile //pe Mobile //ps Common Carrier Interco ip //pswered "No" to each of the Alien Owne	P:(770)797-1070 F:(202)289-6781 E:LicensingCompli	
Contact Verizon Wireless Liensing Manage 1055 North Poin Alpharetta, GA 3 ATTN Regulatory Commership and Ladio Service Ty Legulatory Statu Lien Ownersh The Applicant and Lasic Qualifica	I Qualifications Ype Mobile Sommon Carrier Interco Interco	P:(770)797-1070 F:(202)289-6781 E:LicensingCompli	
Contact Verizon Wireless Liensing Manage 1055 North Poin Alpharetta, GA 3 ATTN Regulatory Commership and Ladio Service Ty Legulatory Statu Lien Ownersh The Applicant and Lasic Qualifica	t Pkwy, NP2NE Network Engineering 80022 // I Qualifications //pe Mobile //pe Mobile //ps Common Carrier Interco ip //pswered "No" to each of the Alien Owne	P:(770)797-1070 F:(202)289-6781 E:LicensingCompli	
Contact Verizon Wireless Liensing Manage 1055 North Poin Alpharetta, GA 3 ATTN Regulatory Commership and Ladio Service Ty Legulatory Statu Lien Ownersh The Applicant and Lasic Qualifica	I Qualifications Ype Mobile Sommon Carrier Interco Interco	P:(770)797-1070 F:(202)289-6781 E:LicensingCompli	
Contact Verizon Wireless Liensing Manage 1055 North Poin Alpharetta, GA 3 ATTN Regulatory Commership and Ladio Service Ty Legulatory Statu Lien Ownersh The Applicant and Lasic Qualifica	I Qualifications Ype Mobile Sommon Carrier Interco Interco	P:(770)797-1070 F:(202)289-6781 E:LicensingCompli	
Contact Verizon Wireless Liensing Manage SO55 North Poin Alpharetta, GA 3 ATTN Regulatory Commership and Regulatory Regulatory Statu Lien Ownersh The Applicant and Resic Qualificat The Applicant and	I Qualifications Ype Mobile Sommon Carrier Interco Interco	P:(770)797-1070 F:(202)289-6781 E:LicensingCompli	

PCS Broadband License - KNLH270 - Cellco Partnership

Call Sign	KNLH270	Radio Service	CW - PCS Broadband
Status	Active	Auth Type	Regular
Market			
Market	BTA379 - Rochester, NY	Channel Block	F
Submarket	0	Associated Frequencies (MHz)	001890.00000000-001895.00000000 001970.00000000-001975.00000000
Dates			SS9
Grant	06/02/2017	Expiration	06/27/2027
Effective	06/02/2017	Cancellation	
Buildout Deadlin	es		
1st	06/27/2002	2nd	
Notification Date	<u> </u>		PMI
1st	06/04/2002	2nd	
Licensee			
FRN	0003290673	Type	Joint Venture
Licensee			a some venture
Cellco Partnership 5055 North Point Pkwy, NP2NE Network Engineering Alpharetta, GA 30022 ATTN Regulatory		P:(770)797-1070 F:(770)797-1036 E:LicensingComplianc	re@VerizonWireless.com

Contact

Cellco Partnership Licensing - Manager 5055 North Point Pkwy, NP2NE Network Engineering Alpharetta, GA 30022 ATTN Regulatory

P:(770)797-1070 F:(770)797-1036

E:LicensingCompliance@VerizonWireless.com

Ownership and Qualifications Radio Service Type Mobile Regulatory Status Common Carrier Interconnected Yes Alien Ownership Is the applicant a foreign government or the representative of any foreign government? No Is the applicant an alien or the representative of an alien? No Is the applicant a corporation organized under the laws of any foreign government? No Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country? Is the applicant directly or indirectly controlled by any other corporation of which more than Yes one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country? The Alien Ruling question is not answered.

Basic Qualifications

The Applicant answered "No" to each of the Basic Qualification questions.

Tribal Land Bidding Credits

This license did not have tribal land bidding credits.

Demographics		
Race		
Ethnicity	Gender	

ULS License

700 MHz Upper Band (Block C) License - WQJQ689 - Cellco Partnership

M This license has pending applications: 0008657811

Call Sign

WQJQ689

Radio Service

WU - 700 MHz Upper Band (Block C)

Status

Active

Auth Type

Regular

Rural Service Provider Bidding Credit

Is the Applicant seeking a Rural Service Provider (RSP) bidding credit?

Reserved Spectrum

Reserved Spectrum

Market

Market Submarket REA001 - Northeast

Channel Block

Associated Frequencies (MHz) 000746.00000000-000757.00000000000776.00000000-000787.00000000

Dates

Grant

09/11/2019

0

Expiration Cancellation 06/13/2029

Effective 09/11/2019 **Buildout Deadlines**

1st 06/13/2013 2nd

06/13/2019

Notification Dates

1st

06/20/2013

2nd

06/17/2019

Licensee

FRN

0003290673

Type

General Partnership

Licensee

Cellco Partnership

5055 North Point Pkwy, NP2NE Network Engineering

Alpharetta, GA 30022

ATTN Regulatory

P:(770)797-1070

E:LicensingCompliance@VerizonWireless.com

Contact

Verizon Wireless

Licensing Manager 5055 North Point Pkwy, NP2NE Network Engineering Alpharetta, GA 30022

ATTN Regulatory

P:(770)797-1070

E: Licensing Compliance @Verizon Wireless.com

Ownership and Qualifications

Radio Service Type

Mobile

Regulatory Status Common Carrier Interconnected

Yes

Alien Ownership

The Applicant answered "No" to each of the Alien Ownership questions.

Basic Qualifications

The Applicant answered "No" to each of the Basic Qualification questions.

Tribal Land Bidding Credits

This license did not have tribal land bidding credits.

Demographics

Race

Ethnicity

Gender

Full Environmental Assessment Form Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project:	ations Escility	
Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless - Barre Corners Telecommunic Project Location (describe, and attach a general location map):	ations racinty	
14257 West Barre Road, Albion, NY 14411, Town of Barre, Orleans County, T.A.#1061	-73 1 (218 2 acres per tax ma	p)
	-75.1 (210.2 doles per tax ma	
Brief Description of Proposed Action (include purpose or need):		
Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless is proposing the construction of a 170' self-supporting tower (with proposed 4' lightning rod) that will support an antenna a equipment cabinets on a 4'x11.5' concrete slab, 10' H-frame, all within a 74'x56 compount top. The compound, proposed tower, wireless telecommunications equipment, meter boat the site will utilize a 12' wide proposed gravel driveway off of West Barre Road (County Formula).	array at 166' AGL; ground bas nd area enclosed by a 7' tall c ard are all to be located within	ed improvements include outdoor hain link fence with a barbed wire
Name of Applicant/Sponsor:	Telephone: 585-321-5	5390
Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless	E-Mail: margaret.hay	es2@verizonwireless.com
Address: 1275 John Street, Suite 100		
City/PO: West Henrietta	State: NY	Zip Code: 14586
Project Contact (if not same as sponsor; give name and title/role):	Telephone: 585-263-	1140
Nixon Peabody, LLP - Jared Lusk	E-Mail: jlusk@nixonp	eabody.com
Address: 1300 Clinton Square		
City/PO:	State:	Zip Code:
Rochester	NY	14604
Property Owner (if not same as sponsor):	Telephone:	
Frederick A. Daniels & Adrienne C. Daniels Irrevocable Trust; David Scott Daniels	E-Mail:	
Address: 14295 West Barre Rd		
City/PO: Albion	State: NY	Zip Code: 14411

B. Government Approvals

B. Government Approvals, Funding, or Spot assistance.)	nsorship. ("Funding" includes grants, loans, ta	ax relief, and any other	forms of financial
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application (Actual or p	
a. City Counsel, Town Board, ☐Yes☐No or Village Board of Trustees			
b. City, Town or Village ☐Yes☐No Planning Board or Commission			
c. City, Town or ✓ Yes ☐ No Village Zoning Board of Appeals	Town of Barre Zoning Board of Appeals - Use Variance & Area Variance	August 2023	
d. Other local agencies ☐Yes☐No			
e. County agencies Yes No			
f. Regional agencies Yes No	·		
g. State agencies Yes No			
h. Federal agencies Yes No			
i. Coastal Resources.i. Is the project site within a Coastal Area,	or the waterfront area of a Designated Inland W	Vaterway?	□Yes ☑ No
ii. Is the project site located in a communityiii. Is the project site within a Coastal Erosio	with an approved Local Waterfront Revitalizan Hazard Area?	ition Program?	☐ Yes ► No ☐ Yes ► No
C. Planning and Zoning			
C.1. Planning and zoning actions.			
Will administrative or legislative adoption, or a only approval(s) which must be granted to ena • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and co	ble the proposed action to proceed?		□Yes Z No
C.2. Adopted land use plans.			
a. Do any municipally- adopted (city, town, vi		s) include the site	□Yes☑No
If Yes, does the comprehensive plan include sp would be located?		proposed action	□Yes□No
b. Is the site of the proposed action within any	local or regional special planning district (for nated State or Federal heritage area; watershed	example: Greenway; management plan;	₽ Yes⊡No
c. Is the proposed action located wholly or part or an adopted municipal farmland protection of Yes, identify the plan(s):	rtially within an area listed in an adopted munion plan?	cipal open space plan,	∐Yes Z No

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? R-1 Residential	☑ Yes □ No
b. Is the use permitted or allowed by a special or conditional use permit?	∠ Yes N o
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site?	□Yes ☑ No
C.4. Existing community services.	
a. In what school district is the project site located? Albion Central School District	
b. What police or other public protection forces serve the project site? Orleans County Sheriff, New York State Police	
c. Which fire protection and emergency medical services serve the project site? Barre Fire District, Barre Fire Company, COVA-Central Orleans Volunteer Ambulance, Inc.	
d. What parks serve the project site? Barre Town Park	
D. Project Details	
D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed components)? Wireless Telecommunications Facility	l, include all
b. a. Total acreage of the site of the proposed action? 218.2+/-	
c. Is the proposed action an expansion of an existing project or use? i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles square feet)? % Units:	☐ Yes ☑ No , housing units,
d. Is the proposed action a subdivision, or does it include a subdivision? If Yes,	□Yes ☑ No
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)	
 ii. Is a cluster/conservation layout proposed? iii. Number of lots proposed? iv. Minimum and maximum proposed lot sizes? Minimum Maximum 	□Yes □No
e. Will the proposed action be constructed in multiple phases?	□Yes☑No
i. If No, anticipated period of construction: ii. If Yes: • Total number of phases anticipated • Anticipated commencement date of phase 1 (including demolition) • Anticipated completion date of final phase iii. If Yes: • Total number of phases anticipated • Anticipated commencement date of phase 1 (including demolition) • Month	
Generally describe connections or relationships among phases, including any contingencies where progredetermine timing or duration of future phases:	

				· · · · · · · · · · · · · · · · · · ·	
	et include new resid abers of units propo				□Yes ⊡ No
ii res, snow nuii	One Family	seu. T <u>wo</u> Family	Three Family	Multiple Family (four or more)	
Initial Phase					
At completion					
of all phases					
g Does the propo	osed action include	new non-residentia	al construction (incl	uding expansions)?	✓ Yes □ No
If Yes,				5 r	
i. Total number		1		tion in the sale	
ii. Dimensions (in feet) of largest p	roposed structure:	or cooled:	width; andlength N/A square feet	
				Il result in the impoundment of any	□Yes☑No
				lagoon or other storage?	1032110
If Yes,		11 37	, ,		
i. Purpose of the	e impoundment:	-i1 of the	tom:	Ground water Surface water stream	ns DOther specify:
ii. If a water imp	ounament, the prin	cipal source of the	water:	Ground water Surface water stream	iisjouler specify.
iii. If other than v	water, identify the ty	pe of impounded/	contained liquids ar	nd their source.	
<u> </u>	-i£+h- manaa	d image over descent	Volumo	million callons: surface area	acres
v. Approximate	size of the propose of the proposed dam	a impounament. For impounding st	volume:	million gallons; surface area: height; length	acres
vi. Construction	method/materials	for the proposed da	am or impounding s	tructure (e.g., earth fill, rock, wood, cond	crete):
D.2. Project Op	orations				
			1 1 1 . 1	1	Yes No
a. Does the propo	osed action include	any excavation, m	uning, or areaging, or astallation of utilitie	during construction, operations, or both? s or foundations where all excavated	[] I e2 [] 140
materials will		ation, grading or n	istaliation of active	or roundations where an energy are	
If Yes:					
i. What is the pr	urpose of the excav	ation or dredging?		4.1	
u. How much ma	aterial (including ro	ck, earth, sedimen	ts, etc.) is proposed	to be removed from the site?	
	hat duration of time				
iii. Describe natu	ire and characteristi	cs of materials to	be excavated or dred	dged, and plans to use, manage or dispos	e of them.
iv. Will there be	e onsite dewatering	or processing of e	xcavated materials?		Yes No
	ibe				
			- 		
	otal area to be dredg naximum area to be			acres acres	
vi. What would	he the maximum de	enth of excavation	or dredging?	feet	
	avation require blas		or arvagg		∐Yes ∐No
					_

h Would the pro	nosed action cause	or result in alterat	ion of increase or d	lecrease in size of, or encroachment	☐Yes ✓ No
			each or adjacent area		
If Yes:	-				
				, water index number, wetland map num	
description):					· · · · · · · · · · · · · · · · · · ·

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placen alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in so	nent of structures, or quare feet or acres:
iii. Will the proposed action cause or result in disturbance to bottom sediments? If Yes, describe:	☐Yes ☐No
iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? If Yes:	☐Yes☐No
 acres of aquatic vegetation proposed to be removed: expected acreage of aquatic vegetation remaining after project completion: 	
 expected acreage of aquatic vegetation remaining after project completion: purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): 	
proposed method of plant removal:	
if chemical/herbicide treatment will be used, specify product(s):	
v. Describe any proposed reclamation/mitigation following disturbance:	
c. Will the proposed action use, or create a new demand for water?	☐Yes ∠ No
If Yes:	
i. Total anticipated water usage/demand per day: gallons/day	□Yes □No
ii. Will the proposed action obtain water from an existing public water supply? If Yes:	L res Lino
Name of district or service area:	
 Does the existing public water supply have capacity to serve the proposal? 	☐ Yes ☐ No
• Is the project site in the existing district?	☐ Yes ☐ No
• Is expansion of the district needed?	☐ Yes ☐ No
 Do existing lines serve the project site? 	☐ Yes ☐ No
iii. Will line extension within an existing district be necessary to supply the project? If Yes:	□Yes □No
Describe extensions or capacity expansions proposed to serve this project:	
Source(s) of supply for the district:	
<i>iv.</i> Is a new water supply district or service area proposed to be formed to serve the project site? If, Yes:	☐ Yes ☐No
Applicant/sponsor for new district:	
Date application submitted or anticipated:	
 Proposed source(s) of supply for new district: v. If a public water supply will not be used, describe plans to provide water supply for the project: 	
vi. If water supply will be from wells (public or private), what is the maximum pumping capacity:	gallons/minute.
d. Will the proposed action generate liquid wastes?	☐ Yes ∠ No
If Yes: i. Total anticipated liquid waste generation per day: gallons/day ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe approximate volumes or proportions of each):	all components and
iii. Will the proposed action use any existing public wastewater treatment facilities? If Yes:	∏Yes ∏No
Name of wastewater treatment plant to be used:	
 Name of district: Does the existing wastewater treatment plant have capacity to serve the project? 	□Yes□No
 Does the existing wastewater treatment plant have capacity to serve the project: Is the project site in the existing district? 	□Yes □No
 Is the project site in the existing district. Is expansion of the district needed? 	☐Yes ☐No
Arp	

•	Do existing sewer lines serve the project site?	□Yes□No
•	Will a line extension within an existing district be necessary to serve the project?	□Yes □No
	If Yes:	
	Describe extensions or capacity expansions proposed to serve this project:	
iv. W	ill a new wastewater (sewage) treatment district be formed to serve the project site?	□Yes□No
If	Yes:	
•	Applicant/sponsor for new district:	
•	Date application submitted or anticipated:	
•	What is the receiving water for the wastewater discharge?	
	public facilities will not be used, describe plans to provide wastewater treatment for the project, including speci sceiving water (name and classification if surface discharge or describe subsurface disposal plans):	fying proposed
	cerving water (name and classification if surface discharge of describe subsurface disposal plans).	
vi De	escribe any plans or designs to capture, recycle or reuse liquid waste:	
vi. DC	sorrice any plants of designs to capture, recycle of rease inquia master.	
_		
e. Wi	Il the proposed action disturb more than one acre and create stormwater runoff, either from new point	□Yes ☑ No
sou	arces (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point	
so	urce (i.e. sheet flow) during construction or post construction?	
If Yes		
i. Ho	ow much impervious surface will the project create in relation to total size of project parcel?	
	Square feet or acres (impervious surface)	
	Square feet or acres (parcel size)	
ii. De	escribe types of new point sources.	···
	There will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent proundwater, on-site surface water or off-site surface waters)?	
•	If to surface waters, identify receiving water bodies or wetlands:	
	Will stormwater runoff flow to adjacent properties?	☐Yes☐No
iv. Do	pes the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?	☐ Yes ☐ No
	pes the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel	∠ Yes □No
	mbustion, waste incineration, or other processes or operations?	
If Ye	s, identify:	
i. N	Nobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)	
_(Construction Equipment	
	tationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)	
iii. Š	N/A tationary sources during operations (e.g., process emissions, large boilers, electric generation)	- 200-00
_	N/A	
	ill any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit,	□Yes ☑ No
	Federal Clean Air Act Title IV or Title V Permit?	
If Ye		
	the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet	□Yes□No
	abient air quality standards for all or some parts of the year)	
ii. In	addition to emissions as calculated in the application, the project will generate:	
•	Tons/year (short tons) of Carbon Dioxide (CO ₂)	
•	Tons/year (short tons) of Nitrous Oxide (N_2O)	
•	Tons/year (short tons) of Perfluorocarbons (PFCs)	
•	Tons/year (short tons) of Sulfur Hexafluoride (SF ₆)	
•	Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)	
	Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	

 h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? If Yes: i. Estimate methane generation in tons/year (metric): ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generative, flaring): 	☐Yes ✓ No
 i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): 	∏Yes ☑ No
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? If Yes:	∐Yes ⊠ No
 i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend Randomly between hours of to ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump truck) 	s):
 iii. Parking spaces: Existing Proposed Net increase/decrease iv. Does the proposed action include any shared use parking? v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing 	☐Yes☐No access, describe:
 vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? 	□Yes□No □Yes□No □Yes□No
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? If Yes:	∠ Yes No
i. Estimate annual electricity demand during operation of the proposed action:	
ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/other): Local Utility	local utility, or
iii. Will the proposed action require a new, or an upgrade, to an existing substation?	∐Yes ☑ No
l. Hours of operation. Answer all items which apply.	
i. During Construction: ii. During Operations:	
Monday - Friday: 7am - 6pm	
• Saturday: 7am - 6pm • Saturday: 24 Hours	
● Sunday: N/A ● Sunday: 24 Hours ● Holidays: N/A ● Holidays: 24 Hours	

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?	☑ Yes □No
If yes: i. Provide details including sources, time of day and duration:	
During construction	
Duffing Constituction	
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?	☐ Yes ☑ No
Describe:	
n. Will the proposed action have outdoor lighting?	✓ Yes ☐ No
If yes:	► 1 cs □ No
<i>i.</i> Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:	
(1) 25W flood light mounted on H-frame activated with spring wound timer, 8' +/- above grade	
(1) 2300 flood light thounted of the hame activated with spring would time, o 17- above grade	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?	☐ Yes ☑ No
Describe:	
o. Does the proposed action have the potential to produce odors for more than one hour per day?	☐ Yes 🗹 No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest	
occupied structures:	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons)	☐ Yes ☑ No
or chemical products 185 gallons in above ground storage or any amount in underground storage?	
If Yes:	
i. Volume(s) per unit time (e.g., month, year)	
iii. Generally, describe the proposed storage facilities:	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides,	☐ Yes ☑ No
insecticides) during construction or operation?	1 cs ≥ 140
If Yes:	
i. Describe proposed treatment(s):	
i. Bosonos propossa asaumenio).	
ii. Will the proposed action use Integrated Pest Management Practices?	☐ Yes ☐No
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal	
of solid waste (excluding hazardous materials)?	
If Yes:	
i. Describe any solid waste(s) to be generated during construction or operation of the facility:	
Construction: tons per (unit of time)	
• Operation: tons per (unit of time)	
ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste	:
Construction:	
Operation:	
iii. Proposed disposal methods/facilities for solid waste generated on-site:	
Construction:	
Operation:	

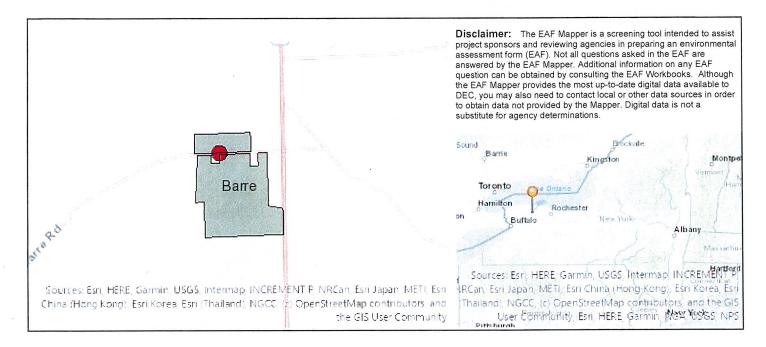
s. Does the proposed action include construction or modifie	cation of a solid waste mar	nagement facility?	☐ Yes 🗹 No		
If Yes:					
i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or					
other disposal activities): ii. Anticipated rate of disposal/processing:					
Tons/month if transfer or other non-co	mbustion/thermal treatmer	or or			
• Tons/hour, if combustion or thermal tre	•Tons/month, if transfer or other non-combustion/thermal treatment, or				
	iii. If landfill, anticipated site life: years				
t. Will the proposed action at the site involve the commercial		torage or disposal of hazardo	us TVes No		
waste?	iai generation, treatment, s	torage, or disposar or nazardo	us1		
If Yes:					
i. Name(s) of all hazardous wastes or constituents to be g	enerated, handled or mana	ged at facility:			
ii. Generally describe processes or activities involving has	zardous wastes or constitue				
iii. Specify amount to be handled or generatedton	s/month				
iv. Describe any proposals for on-site minimization, recyc	cling or reuse of hazardous	constituents:			
	00 : 1 1	'1'. 0	□Yes□No		
v. Will any hazardous wastes be disposed at an existing of					
If Yes: provide name and location of facility:					
If No: describe proposed management of any hazardous wa	astes which will not be sen	nt to a hazardous waste facility	<i>'</i> :		
	477				
E. Site and Setting of Proposed Action					
E.1. Land uses on and surrounding the project site					
a. Existing land uses. i. Check all uses that occur on, adjoining and near the p	roject site		•		
Urban Industrial Commercial Reside:	ntial (suburban) 🗹 Rur	al (non-farm)			
Forest Agriculture Aquatic Other (specify): Town Hall/Highway	/ Dept			
ii. If mix of uses, generally describe:					
b. Land uses and covertypes on the project site.					
Land use or	Current	Acreage After	Change		
Covertype	Acreage	Project Completion	(Acres +/-)		
Roads, buildings, and other paved or impervious	.30	.57	+.27		
surfaces					
Forested	86.13	86.03	1 		
Meadows, grasslands or brushlands (non-	17.3	17.22	08		
agricultural, including abandoned agricultural)					
Agricultural	54.16	54.16	0.		
(includes active orchards, field, greenhouse etc.)					
Surface water features	.31	.31	0		
(lakes, ponds, streams, rivers, etc.)	^^^				
Wetlands (freshwater or tidal)	60.00	59.91	-0.09		
Non-vegetated (bare rock, earth or fill)	-	-	<u>-</u>		
• Other					
Describe:	-	-	-		

i. If Yes: explain:	□Yes☑No
I. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? f Yes,	∐Yes Z No
i. Identify Facilities:	•
e. Does the project site contain an existing dam? f Yes:	□Yes ☑ No
i. Dimensions of the dam and impoundment:	
Dam height: feet	
Dam length: feet	
• Surface area: acres	
Volume impounded: gallons OR acre-feet	
ii. Dam's existing hazard classification:	
iii. Provide date and summarize results of last inspection:	
	TV-ZN-
Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility.	□Yes ☑ No ity?
f Yes: i. Has the facility been formally closed?	□Yes□ No
• If yes, cite sources/documentation: ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:	
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility.	
iii. Describe any development constraints due to the prior solid waste activities:	
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? f Yes:	∠ Yes□No
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred	ed:
14317 W Barre Rd - Town of Barre Highway Department -Petroleum Bulk Storage Facility (3 active tanks on parcel)	
Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?	□Yes ☑ No
n. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? f Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site	□Yes ☑ No
Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? f Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:	□Yes□No
n. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? f Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site	□Yes□No
n. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? f Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes – Spills Incidents database Provide DEC ID number(s): Yes – Environmental Site Remediation database Neither database	□Yes□No
n. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? f Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes – Spills Incidents database Provide DEC ID number(s): Yes – Environmental Site Remediation database Neither database i. If site has been subject of RCRA corrective activities, describe control measures:	□Yes□No
n. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? if Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes – Spills Incidents database Provide DEC ID number(s): Yes – Environmental Site Remediation database Provide DEC ID number(s):	□Yes□No

v. Is the project site subject to an institutional control		☐ Yes ☑ No
If yes, DEC site ID number:		
	., deed restriction or easement):	
Describe any use limitations: Describe any engineering controls:		
 Will the project affect the institutional or eng 	gineering controls in place?	☐ Yes ☐ No
Explain:		
·		
E.2. Natural Resources On or Near Project Site		
a. What is the average depth to bedrock on the project	site?6' feet	
b. Are there bedrock outcroppings on the project site?		☐ Yes Z No
If Yes, what proportion of the site is comprised of bed	lrock outcroppings?%	
c. Predominant soil type(s) present on project site:	HbB-Hilton loam 26	5 %
c. I redominant son type(s) present on project site.		2%
	W-Water 2	2_%
d. What is the average depth to the water table on the	project site? Average: 1.5-2 feet	
O 1		
e. Drainage status of project site soils: Well Draine	Well Drained: 50% of site	
Poorly Drain		
f. Approximate proportion of proposed action site wit		
1. Approximate proportion of proposed action site wit	10-15%:	
	15% or greater: % of site	
g. Are there any unique geologic features on the proje	ect site?	□Yes☑No
If Yes, describe:		11-31
h. Surface water features.		
i. Does any portion of the project site contain wetlan	ds or other waterbodies (including streams, rivers,	∠ Yes No
ponds or lakes)?		——. ——
ii. Do any wetlands or other waterbodies adjoin the p	project site?	∠ Yes□No
If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i.		
iii. Are any of the wetlands or waterbodies within or	adjoining the project site regulated by any federal,	✓ Yes □No
state or local agency?	ody on the project site, provide the following information:	
	Classification C	
Lakes or Ponds: Name		
Wetlands: Name Federal Waters, NY	Classification S Wetland, Federal Waters, Fe Approximate Size	NYS Wetland (in a
 Wetland No. (if regulated by DEC) <u>AL-7</u> 		
v. Are any of the above water bodies listed in the mo	st recent compilation of NYS water quality-impaired	☐ Yes 🗹 No
waterbodies?	for listing as impaired:	
11 yes, name of impaired water body/bodies and basis	for fishing as imparred.	
i. Is the project site in a designated Floodway?		□Yes ☑ No
j. Is the project site in the 100-year Floodplain?		□Yes ∠ No
k. Is the project site in the 500-year Floodplain?		□Yes ☑ No
I. Is the project site located over, or immediately adjo	nining a primary principal or sole source aquifer?	□Yes ☑ No
If Yes:	ming, a primary, principal or sole source aquiter:	
i. Name of aquifer:		

m. Identify the predominant wildlife species	that occupy or use the proj	ect site:	
small mammals	birds		
n. Does the project site contain a designated	significant natural commun	ity?	☐Yes N o
If Yes: i. Describe the habitat/community (composite the composite the community (composite the community (composite the community that is not composite the composite the community that is not composite the composite the composite the community that is not composite the composite the composite that is not composite the composite the composite that is not composite the	sition function and basis fo	ar designation):	
ii. Source(s) of description or evaluation:			
iii. Extent of community/habitat:Currently:			
Following completion of project as	nronosed:	acres acres	
• Gain or loss (indicate + or -):	proposed	acres	
o. Does project site contain any species of pl endangered or threatened, or does it contain	ant or animal that is listed by any areas identified as hal	y the federal government or NYS as	☐ Yes No
If Yes:	is siry arous raomanoa as ma	state for all endangered of infeatened spe	CICS:
i. Species and listing (endangered or threatene	d):		
		· · · · · · · · · · · · · · · · · · ·	
			7.00
p. Does the project site contain any species of	of plant or animal that is list	ad by NVC on rare or on a species of	TyZN-
special concern?	or plaint of aminal that is hist	ed by N 1 S as rare, or as a species of	∐Yes ⊮ No
If Yes:			
i. Species and listing:			
-			
Tada	1 10 1		
q. Is the project site or adjoining area current If yes, give a brief description of how the pro	ly used for hunting, trapping	g, fishing or shell fishing?	□Yes ∠ No
	posed action may affect tha	it use.	
E.3. Designated Public Resources On or N			
a. Is the project site, or any portion of it, loca Agriculture and Markets Law, Article 25-	ted in a designated agricult	ural district certified pursuant to	∠ Yes No
If Yes, provide county plus district name/nu:	mber: ORLEcn1		
b. Are agricultural lands consisting of highly <i>i</i> . If Yes: acreage(s) on project site? 6.3 +/-	productive soils present?		∠ Yes □No
ii. Source(s) of soil rating(s): 2023 New York	Agricultural Land Classification	n-Orleans-January 1, 2023	- Aud- 14
c. Does the project site contain all or part of,	· · · · · · · · · · · · · · · · · · ·		□Yes No
Natural Landmark?	or is it substantially config	aous to, a registered inational	1 c2 6 140
If Yes:			
i. Nature of the natural landmark:	Biological Community	Geological Feature	
ii. Provide brief description of landmark, in			
-			
d. Is the project site located in or does it adjo	in a state listed Critical D		
If Yes:	m a state fisted Chiical Env	nonmental Area?	☐Yes ☑ No
i. CEA name:			
ii. Basis for acsignation.			
iii. Designating agency and date:			

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commission Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	Yes No No oner of the NYS aces?
i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District	
ii. Name:	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐Yes Z No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? If Yes: i. Describe possible resource(s): ii. Basis for identification:	∐Yes ∕ No
h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? If Yes: i. Identify resource: ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or	∐Yes Z No
etc.):	scenic byway,
iii. Distance between project and resource: miles.	
 i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? If Yes: i. Identify the name of the river and its designation: 	☐ Yes Z No
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	∐Yes∐No
F. Additional Information Attach any additional information which may be needed to clarify your project. If you have identified any adverse impacts which could be associated with your proposal, please describe those immeasures which you propose to avoid or minimize them.	npacts plus any
G. Verification I certify that the information provided is true to the best of my knowledge.	
Applicant/Sponsor Name Bell Atlantic Mobile Systems, LLC Date August 11, 2023	
Signature David A. Weisenreder, P.E. Title Project Engineer-Costich Engineering, Di	PC



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas:West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	847-697
E.2.h.iv [Surface Water Features - Stream Classification]	С
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):104.0
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	AL-7

E.2.h.v [Impaired Water Bodies] No

E.2.i. [Floodway] Digital mapping data are not available or are incomplete. Refer to EAF

Workbook.

E.2.j. [100 Year Floodplain] Digital mapping data are not available or are incomplete. Refer to EAF

Workbook.

E.2.k. [500 Year Floodplain] Digital mapping data are not available or are incomplete. Refer to EAF

Workbook.

E.2.I. [Aquifers] No

E.2.n. [Natural Communities] No

E.2.o. [Endangered or Threatened Species] No

E.2.p. [Rare Plants or Animals] No

E.3.a. [Agricultural District] Yes

E.3.a. [Agricultural District] ORLEcn1

E.3.c. [National Natural Landmark] No
E.3.d [Critical Environmental Area] No

E.3.e. [National or State Register of Historic

Places or State Eligible Sites]

Digital mapping data are not available or are incomplete. Refer to EAF

Workbook.

E.3.f. [Archeological Sites]

E.3.i. [Designated River Corridor]

No No 14-14-11 (9/95)-9c

617.20 Appendix B State Environmental Quality Review Visual EAF Addendum

SEQR

Barre Corners Project No 8804 7/12/2023

This form may be used to provide additional information relating to Question 11 of Part 2 of the Full EAF. (To be completed by Lead Agency)					
Visibility	_		ance Betw Resource		
Would the project be visible from:	0-1/4	1/4-1/2	1/2-3	3-5	5+
A.)A parcel of land which is dedicated to and available to the public for the use, enjoyment and appreciation of natural or man-made scenic qualities?					
B.)An overlook or parcel of land dedicated to public observation, enjoyment and appreciation of natural or manmade scenic qualities?					
C.)A site or structure listed on the National or State Registers of Historic Places?					
D.)State Parks?					
E.)The State Forest Preserve?					
F.)National Wildlife Refuges and state game refuges?					
G.)National Natural Landmarks and other outstanding natural features?					
H.)National Park Service lands?					
J.)Rivers designated as National or State Wild, Scenic or Recreational?					
K.)Any transportation corridor of high exposure, such as part of the Interstate System, or Amtrak?					
L.)A governmentally established or designated interstate or inter-county foot trail, or one formally proposed for establishment or designation?					
M.)A site, area, lake, reservoir or highway designated as scenic?					
N.)Municipal park, or designated open space?					
P.)County road? *		•	•		
R.)State? *					
S.)Local road? *					
2. Is the visibility of the project seasonal? (i.e. screened by summer foliage, but visible during other seasons? ☐ Yes ■ No					
Are any of the resources checked in questions 1 used by the project will be visible? ■ Yes □ No	ne public	during the ti	me of year	during whi	ch the

DESCRIPTION OF EXISTING VISUAL ENVIRON 4. From each item checked in questions 1, che				
which generally describe the surrounding er			Within	
		*1/4 mile		* 1 mile
Essentially undeveloped				
Forested		-		
Agricultural				
Suburban residential				
Industrial				
Commercial				
Urban				
River, Lake, Pond				
Cliffs, Overlooks				
Designated Open Space				
Flat				
Hilly				
Mountainous				
Other (Solar Array)				
Note: add attachments as needed				
5. Are there visually similar projects within: * 1/4 mile ☐ Yes ■ N	10 *			
* 1 mile ☐ Yes ■ N	lo *			
	√o * √o *			
* Distance from project site are provided for	or assistance	. Substitute other dis	tances as appro	priate.
EXPOSURE 6. The annual number of viewers likely to observe NOTE: When user data is unavailable or unknown			<u>5*</u>	
CONTEXT 7. The situation or activity in which the viewers are	e engaged wh	nile viewing the propo	sed action is	
A attack		FREQUE	NCY	
Activity			Holidays/	
	Daily —	Weekly	Weekends	Seasonally
Travel to and from work	_			
Involved in recreational activities			_	
Routine travel by residents	-			
At a residence				
At worksite				_
Other				

^{*}Refer to attached sheet

SUPPLEMENTAL DATA FOR VISUAL EAF ADDENDUM

1R.) State Roads

iii.) State riones			
State Road(s)	Distance Between Project & Resource (Miles)	State Road(s)	Distance Between Project & Resource (Miles)
SR 98 Quaker Hill Rd.	0.4 - 0.58		

1S.) Local Roads

Local Road(s)	Distance Between Project & Resource (Miles)	Local Road(s)	Distance Between Project & Resource (Miles)
Cushing Rd.	1 - 1.25	Pusey Rd.	1.3 - 1.7
Delano Steele Rd.	1.54 - 2.15	Maple St.	0.8 - 1.13
Allis Rd.	1.17 - 1.32	Bragg Schoolhouse Rd.	1.09 – 1.16

1P.) County Roads

County Road(s)	Distance Between Project & Resource (Miles)	County Road(s)	Distance Between Project & Resource (Miles)
CR 25b E. Barre Rd.	1 - 1.66	CR 98 Oak Orchard Rd.	0.52 - 1.35
CR 99 W. Barre Rd.	0.05 - 1.25		

Route

SR 98

4023 * 5%

= Est. # of Viewers

Total Average Daily Viewers

= 201

= 201

x 365 days per year

Total Estimated Viewers per Year

= 73,365/year



CO-LOCATION POLICY

Verizon Wireless' co-location policy is as follows:

Verizon Wireless encourages and promotes co-location, both by allowing other providers to locate on its towers, and by attempting to locate its facilities on other providers' towers.

Verizon Wireless maintains the following requirements for other wireless telecommunication providers who desire to locate on Verizon Wireless' facilities:

- 1. The other provider must pay Verizon Wireless appropriate and fair compensation reflecting Verizon Wireless' investment in the engineering, legal, construction, material, and related costs for the site and facility;
- 2. The co-location must be technologically feasible both in terms of radio frequency transmissions and structural integrity of the tower; and
- 3. The other provider must have a similar policy of co-location for Verizon Wireless and its affiliated/related companies.

Project No. 8804 Date: 7/24/2023

REMOVAL ESTIMATE WIRELESS TELECOMMUNICATIONS FACILITY

Project Name: Verizon Wireless-Barre Corners (Project Id-16989597/MDG Location ID-5000919476)

Project Location: 14257 West Barre Road, Town of Barre, Orleans County Developer: Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless

ITEM			EST.	EST. UNIT	TOTAL EST.
NO.	DESCRIPTION	UNIT	QTY.	PRICE	AMOUNT

1. Removal of Verizon Wireless antennas, RRH units, OVP boxes, support booms, coax and hybrid cabling from tower; disassembly and removal of 170' self-supporting tower; disconnect telephone and electric from equipment boxes; removal of chain link fence, equipment cabinets, cable bridge; demolition and removal of concrete foundations (equipment pad, tower and support piers) to a depth of 4'; restoration of the site with stone yard.

LS 1 \$50,000.00 \$ 50,000.00

TOTAL SECTION

50,000.00

8/11/2023

Signature:

David A. Weisenreder, P.E.

Date:

LAND LEASE AGREEMENT

This Land Lease Agreement (the "Agreement") is made by and between **DAVID SCOTT DANIELS**, **TRUSTEE OF FREDERICK A. DANIELS AND ADRIENNE C. DANIELS IRREVOCABLE TRUST**, with an address of 14295 West Barre Road, Albion, New York 14411, ("LESSOR") and **BELL ATLANTIC MOBILE SYSTEMS LLC** d/b/a Verizon Wireless with its principal offices at One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920 ("LESSEE"). LESSOR and LESSEE are at times collectively referred to hereinafter as the "Parties" or individually as the "Party."

WITNESSETH

In consideration of the mutual covenants contained herein and intending to be legally bound hereby, the Parties hereto agree as follows:

- 1. GRANT. LESSOR hereby grants to LESSEE the right to install, maintain, replace, add and operate communications equipment ("Use") upon a portion of that real property owned, leased or controlled by LESSOR located at 14295 West Barre Road in the Town of Barre, Orleans County, New York, Tax Map No. 106.-1-73.1 (the "Property"). The Property is legally described on Exhibit "A" attached hereto and made a part hereof. The "Premises" is approximately 10,000 square feet, and is shown in detail on Exhibit "B" attached hereto and made a part hereof. LESSEE may survey the Premises. Upon completion, the survey shall replace Exhibit "B" in its entirety.
- 2. <u>INITIAL TERM.</u> This Agreement shall be effective as of the date of execution by both Parties ("Effective Date"). The initial term of the Agreement shall be for 5 years beginning on the first day of the month after LESSEE begins installation of LESSEE's communications equipment on the Premises (the "Commencement Date") and will be acknowledged by the Parties in writing, including electronic mail.
- 3. <u>EXTENSIONS</u>. The initial term of this Agreement shall automatically be extended for 4 additional 5-year terms unless LESSEE gives LESSOR written notice of its intent to terminate at least three (3) months prior to the end of the then current extension term. The initial term and any extension terms shall be collectively referred to herein as the "Term".

4. RENTAL.

- a. Rental payments shall begin on the Commencement Date and be due at a total annual rental of to be paid in equal monthly installments on the first day of the month, in advance, to LESSOR or to such other person, firm, or place as LESSOR may, from time to time, designate in writing at least 30 days in advance of any rental payment due date by notice given in accordance with Paragraph 19 below. The initial rental payment shall be delivered by LESSEE no later than 90 days after the Commencement Date. Upon agreement of the Parties, LESSEE may pay rent by electronic funds transfer and in such event, LESSOR agrees to provide to LESSEE bank routing information for such purpose upon request of LESSEE. Effective as of the start of each renewal term, annual rent shall increase by over the rent for the immediately preceding initial term or renewal term.
- b. For any party to whom rental payments are to be made, LESSOR or any successor in interest of LESSOR hereby agrees to provide to LESSEE (i) a completed, current version of Internal Revenue Service Form W-9, or equivalent; (ii) complete and fully executed

state and local withholding forms if required; (iii) LESSEE's payment direction form, and (iv) other documentation to verify LESSOR's or such other party's right to receive rental as is reasonably requested by LESSEE. Rental shall accrue in accordance with this Agreement, but LESSEE shall have no obligation to deliver rental payments until the requested documentation has been received by LESSEE. Upon receipt of the requested documentation, LESSEE shall deliver the accrued rental payments as directed by LESSOR.

- c. As additional consideration for this Agreement, LESSEE shall pay LESSOR a one-time, non-refundable, lump-sum signing bonus of which shall be considered additional rent for the Premises for the period from the Effective Date until the Commencement Date. The signing bonus shall be paid by LESSEE to LESSOR within 90 days of the Effective Date. LESSOR agrees the payment to be made by LESSEE under this Paragraph 4(c) is fair and adequate payment for the period from the Effective Date to the Commencement Date, and LESSOR recognizes that Paragraph 2 of this Agreement governs the Commencement Date. This Paragraph 4(c) does not impact whether or not LESSEE chooses to install LESSEE's communications equipment and commence the Term.
- egress from a public right-of-way, 7 days a week, 24 hours a day, over the Property to and from the Premises for the purpose of installation, operation and maintenance of LESSEE's communications equipment over or along a 30 foot wide right-of-way with 10 foot wide clearing and grading on each side (collectively, "Easement"), which shall be depicted on Exhibit "B". LESSEE may use the Easement for the installation, operation and maintenance of wires, cables, conduits and pipes for all necessary electrical, telephone, fiber and other similar support services as deemed necessary or appropriate by LESSEE for the operation of its communications equipment. In the event it is necessary, LESSOR agrees to grant LESSEE or the service provider the right to install such services on, through, over and/or under the Property, provided the location of such services shall be reasonably approved by LESSOR. In the event of any power interruption at the Premises, LESSEE shall be permitted to install, maintain and/or provide access to and use of a temporary power source to be located on the Property, including related equipment and appurtenances, such as conduits connecting the temporary power source to the Premises.
- 6. <u>CONDITION OF PROPERTY</u>. LESSOR shall deliver the Premises to LESSEE in a condition ready for LESSEE's Use and clean and free of debris. LESSOR represents and warrants to LESSEE that as of the Effective Date, the Property is (a) in compliance with all Laws; and (b) in compliance with all EH&S Laws (as defined in Paragraph 24).
- 7. IMPROVEMENTS. The communications equipment including, without limitation, the tower structure, antennas, conduits, fencing and other screening, and other improvements shall be at LESSEE's expense and installation shall be at the discretion and option of LESSEE. LESSEE shall have the right to replace, repair, add to or otherwise modify its communications equipment, tower structure, antennas, conduits, fencing and other screening, or other improvements or any portion thereof and the frequencies over which the communications equipment operates, at no additional cost to LESSEE, whether or not any of the communications equipment, antennas, conduits or other improvements are listed on any exhibit. LESSEE shall only be required to obtain LESSOR consent for modifications that increase LESSEE's Premises. LESSOR shall respond in writing to any LESSEE consent request within 30 days of receipt or LESSOR's consent shall be deemed granted, provided, any material modifications to the Premises shall be memorialized by the Parties in writing. LESSOR is not entitled to a rent increase associated with any LESSEE modification unless it is increasing its Premises, in which

case, any rent increase shall be proportionate to the additional ground space included in the Premises.

- 8. <u>GOVERNMENT APPROVALS</u>. LESSEE's Use is contingent upon LESSEE obtaining all of the certificates, permits and other approvals (collectively the "Government Approvals") that may be required by any Federal, State or Local authorities (collectively, the "Government Entities") as well as a satisfactory soil boring test, environmental studies, or any other due diligence LESSEE chooses that will permit LESSEE's Use. <u>LESSOR shall cooperate</u> with LESSEE in its effort to obtain and maintain any Government Approvals. Notwithstanding anything contained herein to the contrary, LESSOR hereby agrees to allow LESSEE to install any RF frequency signage and/or barricades as are necessary to ensure LESSEE's compliance with Laws.
- 9. <u>TERMINATION</u>. LESSEE may, unless otherwise stated, immediately terminate this Agreement upon written notice to LESSOR in the event that (i) any applications for such Government Approvals should be finally rejected; (ii) any Government Approval issued to LESSEE is canceled, expires, lapses or is otherwise withdrawn or terminated by any Government Entity; (iii) LESSEE determines that such Government Approvals may not be obtained in a timely manner; (iv) LESSEE determines any structural analysis is unsatisfactory; (v) LESSEE, in its sole discretion, determines the Use of the Premises is obsolete or unnecessary; (vi) with 3 months prior notice to LESSOR, upon the annual anniversary of the Commencement Date; or (vii) at any time before the Commencement Date for any reason or no reason in LESSEE's sole discretion.
- INDEMNIFICATION. Subject to Paragraph 11, each Party and/or any successor and/or assignees thereof, shall indemnify and hold harmless the other Party, and/or any successors and/or assignees thereof, against (i) all claims of liability or loss from bodily injury or property damage resulting from or arising out of the negligence or willful misconduct of the indemnifying Party, its employees, contractors or agents, except to the extent such claims or damages may be due to or caused by the negligence or willful misconduct of the other Party, or its employees, contractors or agents, and (ii) reasonable attorney's fees, expense, and defense costs incurred by the indemnified Party. The indemnified Party will provide the indemnifying Party with prompt, written notice of any claim that is subject to the indemnification obligations in this paragraph. The indemnified Party will cooperate appropriately with the indemnifying Party in connection with the indemnifying Party's defense of such claim. The indemnifying Party shall defend any indemnified Party, at the indemnified Party's request, against any claim with counsel reasonably satisfactory to the indemnified Party. The indemnifying Party shall not settle or compromise any such claim or consent to the entry of any judgment without the prior written consent of each indemnified Party and without an unconditional release of all claims by each claimant or plaintiff in favor of each indemnified Party. All indemnification obligations shall survive the termination or expiration of this Agreement.
- 11. <u>INSURANCE</u>. The Parties agree to maintain during the term of this Agreement the following insurance policies:
- a. Commercial general liability in the amount of per occurrence for bodily injury and property damage and in the annual aggregate. Each party shall be included as an additional insured as their interest may appear under this Agreement on the other party's insurance policy.

- b. "All-Risk" property insurance on a replacement cost basis insuring their respective property with no coinsurance requirement. Where legally permissible, each party agrees to waive subrogation against the other party and to ensure said waiver is recognized by the insurance policies insuring the property.
- 12. <u>LIMITATION OF LIABILITY</u>. Except for indemnification pursuant to Paragraphs 10 and 23, a violation of Paragraph 26, or a violation of law, neither Party shall be liable to the other, or any of their respective agents, representatives, or employees for any lost revenue, lost profits, diminution in value of business, loss of technology, rights or services, loss of data, or interruption or loss of use of service, incidental, punitive, indirect, special, trebled, enhanced or consequential damages, even if advised of the possibility of such damages, whether such damages are claimed for breach of contract, tort (including negligence), strict liability or otherwise, unless applicable law forbids a waiver of such damages.

13. INTERFERENCE.

- a. LESSEE agrees that LESSEE will not cause interference that is measurable in accordance with industry standards to LESSOR's equipment. LESSOR agrees that LESSOR and other occupants of the Property will not cause interference that is measurable in accordance with industry standards to the then existing communications equipment of LESSEE.
- b. Without limiting any other rights or remedies, if interference occurs and continues for a period in excess of 48 hours following notice to the interfering party via telephone to LESSEE'S Network Management Center (at (800) 264-6620) or to LESSOR at (716-474-0571), the interfering party shall or shall require any other user to reduce power or cease operations of the interfering equipment until the interference is cured.
- c. The Parties acknowledge that there will not be an adequate remedy at law for noncompliance with the provisions of this Paragraph and therefore the Parties shall have the right to equitable remedies such as, without limitation, injunctive relief and specific performance.
- 14. REMOVAL AT END OF TERM. Within 90 days of the expiration or earlier termination of the Agreement, LESSEE shall remove LESSEE's Communications Equipment (except footings and foundations) and restore the Premises to its original condition, reasonable wear and tear and casualty damage excepted. LESSOR agrees and acknowledges that the communications equipment shall remain the personal property of LESSEE and LESSEE shall have the right to remove the same at any time during the Term, whether or not said items are considered fixtures and attachments to real property under applicable laws.
- 15. RIGHT OF FIRST REFUSAL. If at any time after the Effective Date, LESSOR receives an offer or letter of intent from any person or entity that is in the business of owning, managing or operating communications facilities or is in the business of acquiring landlord interests in agreements relating to communications facilities, to purchase fee title, an easement, a lease, a license, or any other interest in the Property or any portion thereof or to acquire any interest in this Agreement, or an option for any of the foregoing, LESSOR shall provide written notice to LESSEE of said offer ("LESSOR's Notice"). LESSOR's Notice shall include the prospective buyer's name, the purchase price being offered, any other consideration being offered, the other terms and conditions of the offer, a description of the portion of and interest in the Property and/or this Agreement which will be conveyed in the proposed transaction, and a copy of any letters of intent or form agreements presented to LESSOR by the third party offeror.

LESSEE shall have the right of first refusal to meet any bona fide offer of sale or transfer on the terms and conditions of such offer or by effectuating a transaction with substantially equivalent financial terms. If LESSEE fails to provide written notice to LESSOR that LESSEE intends to meet such bona fide offer within 30 days after receipt of LESSOR's Notice, LESSOR may proceed with the proposed transaction in accordance with the terms and conditions of such third party offer, in which event this Agreement shall continue in full force and effect and the right of first refusal described in this Paragraph shall survive any such conveyance to a third party. If LESSEE provides LESSOR with notice of LESSEE's intention to meet the third party offer within 60 days after receipt of LESSOR's Notice, then if LESSOR's Notice describes a transaction involving greater space than the Premises, LESSEE may elect to proceed with a transaction covering only the Premises and the purchase price shall be prorated on a square footage basis. Further, LESSOR acknowledges and agrees that if LESSEE exercises this right of first refusal, LESSEE may require a reasonable period of time to conduct due diligence and effectuate the closing of a transaction on substantially equivalent financial terms of the third party offer. LESSEE may elect to amend this Agreement to effectuate the proposed financial terms of the third party offer rather than acquiring fee simple title or an easement interest in the Premises. For purposes of this Paragraph, any transfer, bequest or devise of LESSOR's interest in the Property as a result of the death of LESSOR, whether by will or intestate succession, or any conveyance to LESSOR's family members by direct conveyance or by conveyance to a trust for the benefit of family members shall not be considered a sale for which LESSEE has any right of first refusal.

- 16. RIGHTS UPON SALE. Should LESSOR, at any time during the Term, decide (i) to sell or otherwise transfer all or any part of the Property, or (ii) to grant to a third party by easement or other legal instrument an interest in and to any portion of the Premises, such sale, transfer, or grant of an easement or interest therein shall be under and subject to this Agreement and any such purchaser or transferee shall recognize LESSEE's rights hereunder. In the event that LESSOR completes any such sale, transfer, or grant described in this Paragraph without executing an assignment of the Agreement whereby the third party agrees in writing to assume all obligations of LESSOR under this Agreement, then LESSOR shall not be released from its obligations to LESSEE under this Agreement, and LESSEE shall have the right to look to LESSOR and the third party for the full performance of the Agreement.
- 17. <u>LESSOR'S TITLE.</u> LESSOR covenants that LESSEE, on paying the rent and performing the covenants herein, shall peaceably and quietly have, hold and enjoy the Premises. LESSOR represents and warrants to LESSEE as of the Effective Date and covenants during the Term that LESSOR has full authority to enter into and execute this Agreement and that there are no liens, judgments, covenants, easements, restrictions or other impediments of title that will adversely affect LESSEE's Use.
- 18. ASSIGNMENT. Without any approval or consent of the other Party, this Agreement may be sold, assigned or transferred by either Party to (i) any entity in which the Party directly or indirectly holds an equity or similar interest; (ii) any entity which directly or indirectly holds an equity or similar interest in the Party; or (iii) any entity directly or indirectly under common control with the Party. LESSEE may assign this Agreement to any entity which acquires all or substantially all of LESSEE's assets in the market defined by the FCC in which the Property is located by reason of a merger, acquisition or other business reorganization without approval or consent of LESSOR. Additionally, this Agreement may be sold, assigned or transferred by LESSEE without any approval or consent of LESSOR to any company whose primary business is developing, constructing, owning and operating communications facilities for use by LESSEE and/or other third-parties and in the event of any such assignment and the subsequent subleasing

of space to LESSEE, LESSOR acknowledges and agrees that no sublease fee as described therein shall be due and payable from LESSEE for such sublease. As to other parties, this Agreement may not be sold, assigned or transferred without the written consent of the other Party, which such consent will not be unreasonably withheld, delayed or conditioned. No change of stock ownership, partnership interest or control of LESSEE or transfer upon partnership or corporate dissolution of either Party shall constitute an assignment hereunder. LESSEE may sublet the Premises in LESSEE's sole discretion.

19. <u>NOTICE</u>. Except for notices permitted via telephone in accordance with Paragraph 13, or via electronic mail in accordance with Paragraph 2, all notices hereunder must be in writing and shall be deemed validly given if sent by certified mail, return receipt requested or by commercial courier, provided the courier's regular business is delivery service and provided further that it guarantees delivery to the addressee by the end of the next business day following the courier's receipt from the sender, addressed as follows (or any other address that the Party to be notified may have designated to the sender by like notice):

LESSOR: DAVID SCOTT DANIELS, TRUSTEE OF FREDERICK A.
DANIELS AND ADRIENNE C. DANIELS IRREVOCABLE TRUST

14295 West Barre Road Albion, New York 14411

LESSEE: Bell Atlantic Mobile Systems LLC

d/b/a Verizon Wireless 180 Washington Valley Road Bedminster, New Jersey 07921 Attention: Network Real Estate

Notice shall be effective upon actual receipt or refusal as shown on the receipt obtained pursuant to the foregoing.

20. SUBORDINATION AND NON-DISTURBANCE. Within 15 days of the Effective Date, LESSOR shall obtain a Non-Disturbance Agreement (as defined below) and any required consent from existing mortgagee(s), ground lessors and master lessors, if any, of the Property. At LESSOR's option, this Agreement shall be subordinate to any future master lease, ground lease, mortgage, deed of trust or other security interest (a "Mortgage") by LESSOR which from time to time may encumber all or part of the Property; provided, however, as a condition precedent to LESSEE being required to subordinate its interest in this Agreement to any future Mortgage covering the Property, LESSOR shall obtain for LESSEE's benefit a non-disturbance and attornment agreement for LESSEE's benefit in the form reasonably satisfactory to LESSEE, and containing the terms described below (the "Non-Disturbance Agreement"), and shall recognize LESSEE's rights under this Agreement. The Non-Disturbance Agreement shall include the encumbering party's ("Lender's") agreement that, if Lender or its successor-in-interest or any purchaser of Lender's or its successor's interest (a "Purchaser") acquires an ownership interest in the Property, Lender or such successor-in-interest or Purchaser will honor all of the terms of the Agreement. Such Non-Disturbance Agreement must be binding on all of Lender's participants in the subject loan (if any) and on all successors and assigns of Lender and/or its participants and on all Purchasers. In return for such Non-Disturbance Agreement, LESSEE will execute an agreement for Lender's benefit in which LESSEE (1) confirms that the Agreement is subordinate to the Mortgage or other real property interest in favor of Lender, (2) agrees to attorn to Lender if Lender becomes the owner of the Property and (3) agrees to accept a cure by Lender of any of

LESSOR's defaults, provided such cure is completed within the deadline applicable to LESSOR. In the event LESSOR defaults in the payment and/or other performance of any mortgage or other real property interest encumbering the Property, LESSEE, may, at its sole option and without obligation, cure or correct LESSOR's default and upon doing so, LESSEE shall be subrogated to any and all rights, titles, liens and equities of the holders of such mortgage or other real property interest and LESSEE shall be entitled to deduct and setoff against all rents that may otherwise become due under this Agreement the sums paid by LESSEE to cure or correct such defaults.

- 21. <u>DEFAULT</u>. It is a "Default" if (i) either Party fails to comply with this Agreement and does not remedy the failure within 30 days after written notice by the other Party or, if the failure cannot reasonably be remedied in such time, if the failing Party does not commence a remedy within the allotted 30 days and diligently pursue the cure to completion within 90 days after the initial written notice, or (ii) LESSOR fails to comply with this Agreement and the failure interferes with LESSEE's Use and LESSOR does not remedy the failure within 5 days after written notice from LESSEE or, if the failure cannot reasonably be remedied in such time, if LESSOR does not commence a remedy within the allotted 5 days and diligently pursue the cure to completion within 15 days after the initial written notice. The cure periods set forth in this Paragraph 21 do not extend the period of time in which either Party has to cure interference pursuant to Paragraph 13 of this Agreement.
- 22. REMEDIES. In the event of a Default, without limiting the non-defaulting Party in the exercise of any right or remedy which the non-defaulting Party may have by reason of such default, the non-defaulting Party may terminate this Agreement and/or pursue any remedy now or hereafter available to the non-defaulting Party under the Laws or judicial decisions of the state in which the Property is located. Further, upon a Default, the non-defaulting Party may at its option (but without obligation to do so), perform the defaulting Party's duty or obligation. The costs and expenses of any such performance by the non-defaulting Party shall be due and payable by the defaulting Party upon receipt of an itemized invoice. If LESSEE undertakes any such performance on LESSOR's behalf and LESSOR does not pay LESSEE the full undisputed amount within 30 days of its receipt of an itemized invoice setting forth the amount due, LESSEE may offset the full undisputed amount due against all fees due and owing to LESSOR under this Agreement until the full undisputed amount is fully reimbursed to LESSEE.
- ENVIRONMENTAL. LESSEE shall conduct its business in compliance with all applicable laws governing the protection of the environment or employee health and safety ("EH&S Laws"). LESSEE shall indemnify and hold harmless the LESSOR from claims to the extent resulting from LESSEE's violation of any applicable EH&S Laws or to the extent that LESSEE causes a release of any regulated substance to the environment. LESSOR shall indemnify and hold harmless LESSEE from all claims resulting from the violation of any applicable EH&S Laws or a release of any regulated substance to the environment except to the extent resulting from the activities of LESSEE. The Parties recognize that LESSEE is only leasing a small portion of the Property and that LESSEE shall not be responsible for any environmental condition or issue except to the extent resulting from LESSEE's specific activities and responsibilities. In the event that LESSEE encounters any hazardous substances that do not result from its activities, LESSEE may relocate its facilities to avoid such hazardous substances to a mutually agreeable location or, if LESSEE desires to remove at its own cost all or some the hazardous substances or materials (such as soil) containing those hazardous substances, LESSOR agrees to sign any necessary waste manifest associated with the removal, transportation and/or disposal of such substances.

- 24. <u>CASUALTY</u>. If a fire or other casualty damages the Property or the Premises and impairs LESSEE's Use, rent shall abate until LESSEE'S Use is restored. If LESSEE's Use is not restored within 45 days, LESSEE may terminate this Agreement.
- 25. <u>CONDEMNATION</u>. If a condemnation of any portion of the Property or Premises impairs LESSEE's Use, LESSEE may terminate this Agreement. LESSEE may on its own behalf make a claim in any condemnation proceeding involving the Premises for losses related to LESSEE's communications equipment, relocation costs and, specifically excluding loss of LESSEE's leasehold interest, any other damages LESSEE may incur as a result of any such condemnation.
- APPLICABLE LAWS. During the Term, LESSOR shall maintain the Property in compliance with all applicable laws, EH&S Laws, rules, regulations, ordinances, directives, covenants, easements, consent decrees, zoning and land use regulations, and restrictions of record, permits, building codes, and the requirements of any applicable fire insurance underwriter or rating bureau, now in effect or which may hereafter come into effect (including, without limitation, the Americans with Disabilities Act and laws regulating hazardous substances) (collectively "Laws"). LESSEE shall, in respect to the condition of the Premises and at LESSEE's sole cost and expense, comply with (i) all Laws relating solely to LESSEE's specific and unique nature of use of the Premises; and (ii) all building codes requiring modifications to the Premises due to the improvements being made by LESSEE in the Premises. It shall be LESSOR's obligation to comply with all Laws relating to the Property, without regard to specific use (including, without limitation, modifications required to enable LESSEE to obtain all necessary building permits).
- TAXES. If LESSOR is required by law to collect any federal, state, or local tax, fee, or other governmental imposition (each, a "Tax") from LESSEE with respect to the transactions contemplated by this Agreement, then LESSOR shall bill such Tax to LESSEE in the manner and for the amount required by law, LESSEE shall promptly pay such billed amount of Tax to LESSOR, and LESSOR shall remit such Tax to the appropriate tax authorities as required by law; provided, however, that LESSOR shall not bill to or otherwise attempt to collect from LESSEE any Tax with respect to which LESSEE has provided LESSOR with an exemption certificate or other reasonable basis for relieving LESSOR of its responsibility to collect such tax from LESSEE. Except as provided in this Paragraph 27, LESSOR shall bear the costs of all Taxes that are assessed against or are otherwise the legal responsibility of LESSOR with respect to itself, its property, and the transactions contemplated by this Agreement. LESSEE shall be responsible for all Taxes that are assessed against or are otherwise the legal responsibility of LESSEE with respect to itself, its property, and the transactions contemplated by this Agreement.
- 28. <u>NON-DISCLOSURE</u>. The Parties agree that this Agreement and any information exchanged between the Parties regarding the Agreement are confidential. The Parties agree not to provide copies of this Agreement or any other confidential information to any third party without the prior written consent of the other or as required by law. If a disclosure is required by law, prior to disclosure, the Party shall notify the other Party and cooperate to take lawful steps to resist, narrow, or eliminate the need for that disclosure.
- 29. <u>MOST FAVORED LESSEE</u>. LESSOR represents and warrants that the rent, benefits and terms and conditions granted to LESSEE by LESSOR hereunder are now and shall be, during the Term, no less favorable than the rent, benefits and terms and conditions for substantially the same or similar tenancies or licenses granted by LESSOR to other parties. If at

any time during the Term LESSOR shall offer more favorable rent, benefits or terms and conditions for substantially the same or similar tenancies or licenses as those granted hereunder, then LESSOR shall, within 30 days after the effective date of such offering, notify LESSEE of such fact and offer LESSEE the more favorable offering. If LESSEE chooses, the parties shall then enter into an amendment that shall be effective retroactively to the effective date of the more favorable offering, and shall provide the same rent, benefits or terms and conditions to LESSEE. LESSEE shall have the right to decline to accept the offering. LESSOR's compliance with this requirement shall be subject, at LESSEE's option, to independent verification.

MISCELLANEOUS. This Agreement contains all agreements, promises and understandings between the LESSOR and the LESSEE regarding this transaction, and no oral agreement, promises or understandings shall be binding upon either the LESSOR or the LESSEE in any dispute, controversy or proceeding. This Agreement may not be amended or varied except in a writing signed by all Parties. This Agreement shall extend to and bind the heirs, personal representatives, successors and assigns hereto. The failure of either party to insist upon strict performance of any of the terms or conditions of this Agreement or to exercise any of its rights hereunder shall not waive such rights and such party shall have the right to enforce such rights at any time. The performance of this Agreement shall be governed, interpreted, construed and regulated by the laws of the state in which the Premises is located without reference to its choice of law rules. Except as expressly set forth in this Agreement, nothing in this Agreement shall grant, suggest or imply any authority for one Party to use the name, trademarks, service marks or trade names of the other for any purpose whatsoever. LESSOR agrees to execute a Memorandum of this Agreement, which LESSEE may record with the appropriate recording officer. The provisions of the Agreement relating to indemnification from one Party to the other Party shall survive any termination or expiration of this Agreement. This Agreement may be executed in counterparts, including written and electronic forms. All executed counterparts shall constitute one Agreement, and each counterpart shall be deemed an original.

[Signature page follows]

IN WITNESS WHEREOF, this Agreement is entered into by the Parties as of the Effective Date.

LESSOR:	LESSEE:
DAVID SCOTT DANIELS, TRUSTEE OF FREDERICK A. DANIELS AND ADRIENNE C. DANIELS IRREVOCABLE TRUST	Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless
By: () DAVID SCOTT DANIELS, TRUSTEE	Ву:
Date: 6-20-23	Name:
Date	lts:
	Date:

EXHIBIT "A"

PROPERTY DESCRIPTION

Parcel "A"

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Barre, County of Orleans and State of New York, being part of Lot 4, Township 14 in the 2nd Range of the Holland Land Company's Survey, bounded as follows:

Beginning on the North line of said Lot at the distance of 17 chains and 87 links West from the Northeast corner thereof; thence south 10 chains 38 links to the center of a public highway; thence west, 1 chain, thence South 45 chains 62 links to the South line of said Lot; thence West on said South line, 16 chains 82 links to land deeded to James Russell, thence North 56 chains 22 links to the North line of said Lot and thence East on said North line 17 chains 82 links to the place of beginning.

Excepting therefrom lands conveyed to James H Cornelius by deed recorded 10-24-1905 in the Orleans County Clerk's Office

Also Excepting therefrom lands conveyed to James H Cornelius by deed recorded 10-25-1905 in the Orleans County Clerk's Office

Parcel "B"

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Barre, County of Orleans and State of New York, being part of Lot 4, Township 14 in the 2nd Range of the Holland Land Company's Survey, bounded as follows:

East by land deeded to Aden Foster, 45 chains 51 links; South by Lot No. 3, 8 chains 92 links. West by land deeded to the heirs of Lyman Hill, 45 chains 62 links; and North by lands deeded to Asa Fellows, 8 chains 92 links.

Excepting therefrom lands conveyed to Gordon Baker and Dorothy Baker, his wife by deed recorded 2-13-1981 in Orleans County Clerk's Office Liber 400 page 203

Parcel "C"

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Barre, County of Orleans and State of New York, being part of Lot 4, Township 14 in the 2nd Range of the Holland Land Company's Survey, bounded as follows:

Commencing at the center of the public highway on the West line of the land above described. 10 chains 38 links south from the Northeast corner of above Parcel "A"; thence running west in the center of said Road, 4 rods; thence south on a line parallel to the West line of Parcel "B" above described to the south line of said Lot; thence East along said South line, 4 rods to the West line of said Parcel "B"; thence North along said West line to the place of beginning.

Excepting therefrom land conveyed to Gordon Baker and Dorothy Baker, his wife, by Deed recorded 2-13-1981 in Orleans County Clerk's Office Liber 400 page 203

Parcel "D"

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Barre, County of Orleans and State of New York, being part of Lat 4, Township 14 in the 2nd Range of the Holland Land Company's Survey, bounded as follows:

Beginning on the South bounds of said I of at an iron stake, said to be at the distance of 35 chains, 69 links West from the East bounds thereof; thence North parallel with the East bounds of said Lot, 56 chains and 29 links to the North bounds of said Lot, thence West on said bounds 16 chains 77 links, thence South parallel with East bounds, 10 chains and 77 links to the center of the highway, thence East along the center of the highway 4 chains and 95 links; thence south or nearly no 27 chains 65 links; thence East 5 chains 24 links; thence South parallel with the East boundary 18 chains and 16 links to the South bounds of said Lot, thence East on said South line, 8 chains 27 links to the place of beginning.

Excepting and Reserving therefrom Parcel reserved to Melicent Scofield Mergler in a certain deed from George T. Beecher and Gladys I Beecher recorded 3-12-1956 in Orleans County Clerk's Office in Liber 273 of Deeds at page 4

Also Excepting lands conveyed to Juntor F Holcomb and Jessie C Holcomb, husband and wife by Deed recorded 10-4-1982 in Orleans County Clerk's Office Liber 404 at page 814. Also Excepting lands conveyed to Carl G Beecher and Melody Beecher, husband and wife by deed recorded 6-10-1998 in Orleans County Clerk's Office in Liber 33 of Records at page 166.

Parcel "E"

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Barre. County of Orleans and State of New York, being part of Lot 4, Township 14 in the 2nd Range of the Holland Company's Survey, bounded as follows:

East by Township 14 in the First Range, 55 chains 78 links, south by Lot 3, 8 chains 95 links, west by a line parallel to the first mentioned boundary line being in part of the first parcel above described 55 chains 89 links, and north by Lot 5, 8 chains 95 links.

Excepting from the above two premises, two conveyances by George M. Spry and Grace E. Spry, both to the Town of Barre, recorded in the Orleans County Clerk's Office in Liber 178 of Deeds, Page 201, and in Liber 229 of Deeds, page 31.

ALSO EXCEPTING premises conveyed to John W. Scofield and Melicent G. Scofield to Frank M. VanApeldoom and wife as recorded in the in Orleans County Clerk's Office in Liber 328 of Deeds, Page 392, premises conveyed by John W. Scofield and Melicent G. Scofield to the Town of Barre as recorded in the in Orleans County Clerk's Office in Liber 330 of Deeds, Page 409, and in Liber 385 of Deeds, Page 545

ALSO EXCEPTING premises conveyed by Melicent Scotlield to Jean F. DePatie by deed recorded in Orleans County Clerk's Office in Liber 406 of Deeds at Page 800



July 24, 2023

Margaret Hayes Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless 1275 John Street, Suite 100 West Henrietta, NY 14586

RE:

BELL ATLANTIC MOBILE SYSTEMS, LLC D/B/A Verizon Wireless - Barre Corners

Tower Design Letter

PROJECT ID# 16989597/MDG LOCATION ID: 5000919476

14257 West Barre Road, Albion, NY 14411, Town of Barre/Orleans County

Dear Ms. Hayes,

For the Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless Barre Corners Telecommunications Facility, a 170′ self-supporting tower constructed of galvanized steel, with a 4′ lighting rod is proposed. The self-supporting tower is to be located within a 100′ x 100′ lease parcel area and shall be designed to support a minimum of four (4) cellular carriers. The tower shall be designed to support this loading with a 109 mph basic wind speed (no ice) and 2-inch minimum radial ice at 40 mph in accordance with TIA/EIA-222-H, "Structural Standards for Steel Antenna Towers and Antenna Supporting Structures". This is the standard currently referenced by the International Building Code. The tower shall be designed by a licensed New York State Professional Engineer meeting the aforementioned criteria.

The tower is approximately +/-300 from the closest property line. The resultant fall zone radius of 174′ will be entirely on the subject property.

If you have any questions feel free to contact me.



Respectfully submitted,

Costich Engineering, D. P.C.

David A. Weisenreder, P.E.

H:\job\8804\Documents\Specifications\Zoning Materials\BarreCorners_TowerDesignLetter_20230724docx

Office (585) 458-3020 · Fax (585) 458-2731 · www.costich.com



07/05/2023

To: Town of Barre

RE: Verizon Wireless "Barre Corners" Site Located at: 14295 West Barre Rd. Albion, NY 14411

To Whom It May Concern,

We write to inform you that Verizon Wireless has performed a radio frequency (RF) compliance pre-construction evaluation for the above-noted proposed site and based on the result of the evaluation, the site will be compliant with FCC Guidelines.

The FCC has established safety rules relating to potential RF exposure from cell sites. The rules are codified at 47 C.F.R § 1.1310. The FCC provides guidance on how to ensure compliance with its rules in the FCC Office of Engineering and Technology Bulletin 65 (available at

https://transition.fcc.gov/Bureaus/Engineering_Technology/Documents/bulletins/oet65/oet65.pdf). The FCC developed the RF standards, known as Maximum Permissible Exposure (MPE) limits, in consultation with numerous other federal agencies, including the Environmental Protection Agency, the Food and Drug Administration, and the Occupational Safety and Health Administration. The FCC provides information about the safety of radio frequency (RF) emissions from cell towers on its website at:

https://www.fcc.gov/engineering-technology/electromagnetic-compatibility-division/radio-frequency-safety/faq/rf-safety.

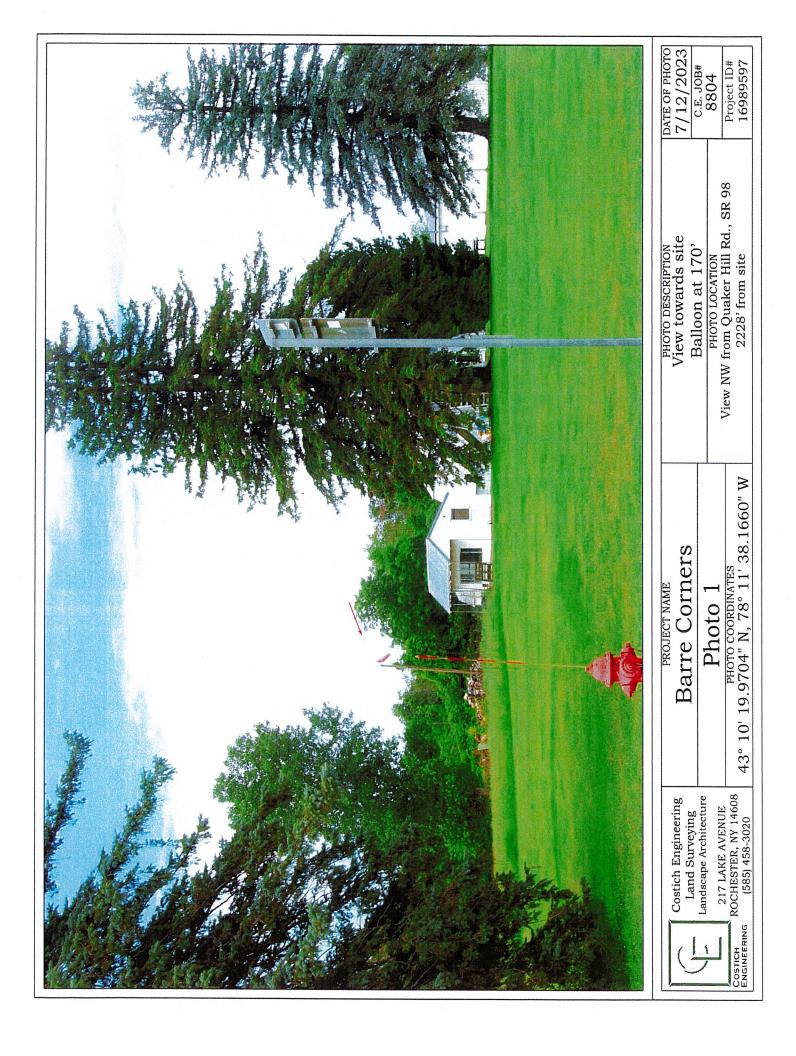
Please refer to the FCC Office of Engineering and Technology Bulletin 65 and the attached Verizon Wireless RF Brochure for information on RF exposure guidelines, RF safety, and landlord responsibilities. Questions related to compliance with federal regulations should be directed to VZWRFCompliance Verizon Wireless.com.

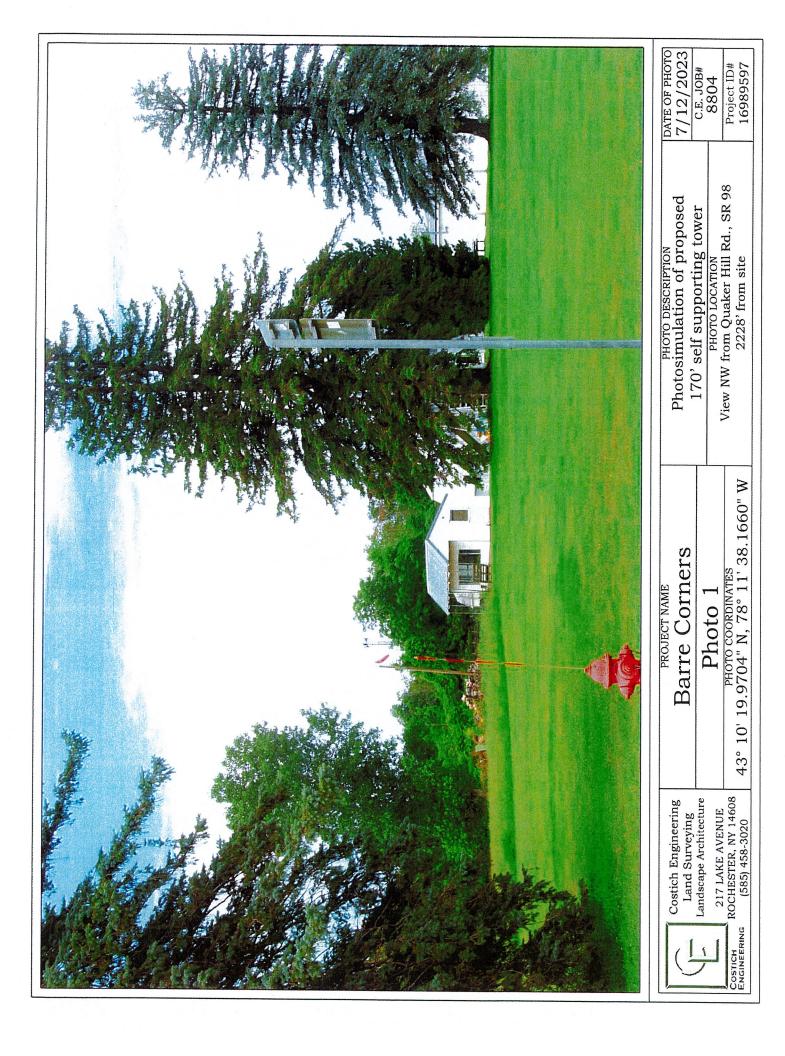
Please contact your local Verizon Wireless resource below if you have additional site-specific questions.

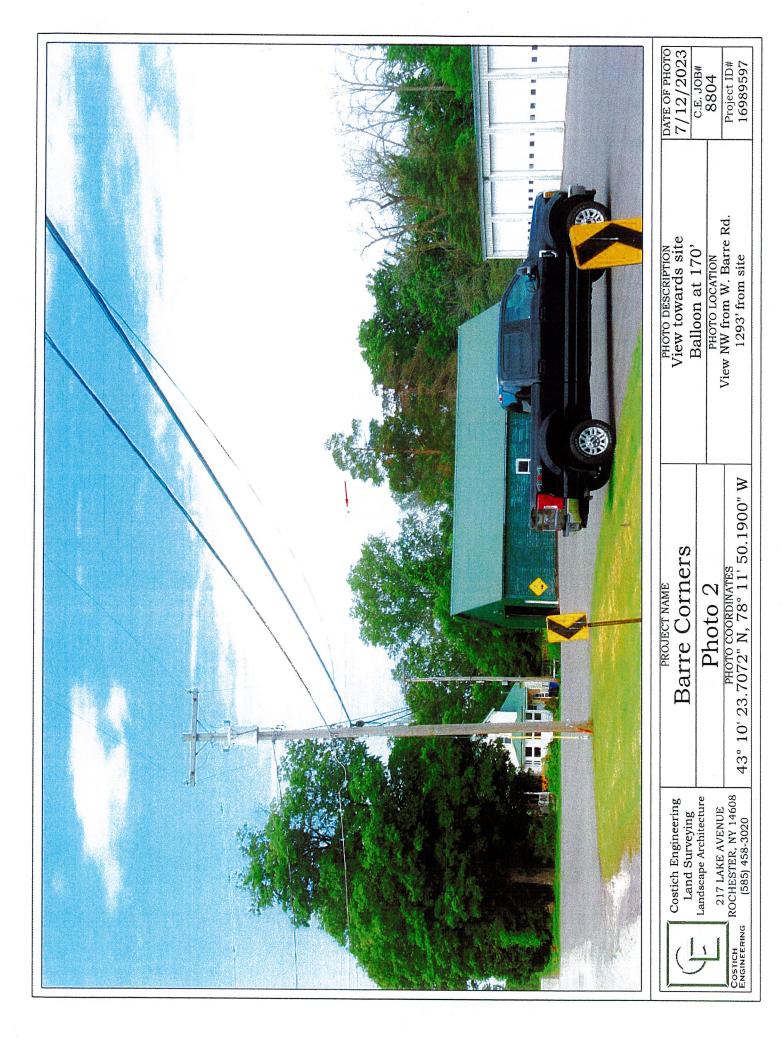
Contact Name	Contact Email	Contact Phone
Phillip Colantonio	Phillip.colantonio@verizonwireless.com	716-352-0372

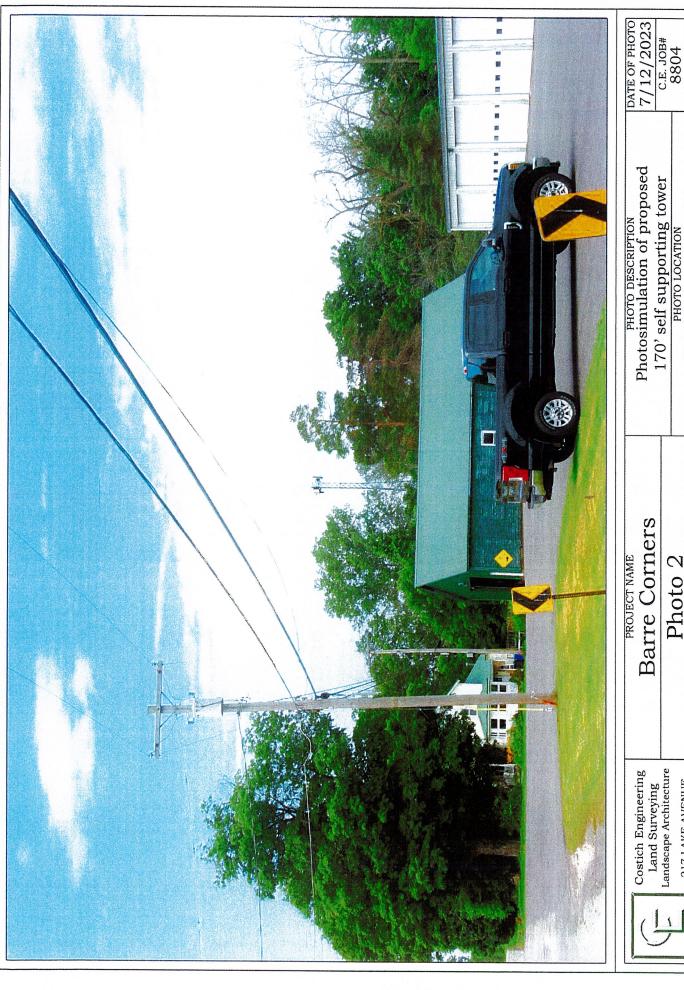
Sincerely,

Shawn Flynn Manager-RF System Design Verizon Wireless









COSTICH ENGINEERING

217 LAKE AVENUE ROCHESTER, NY 14608 (585) 458-3020

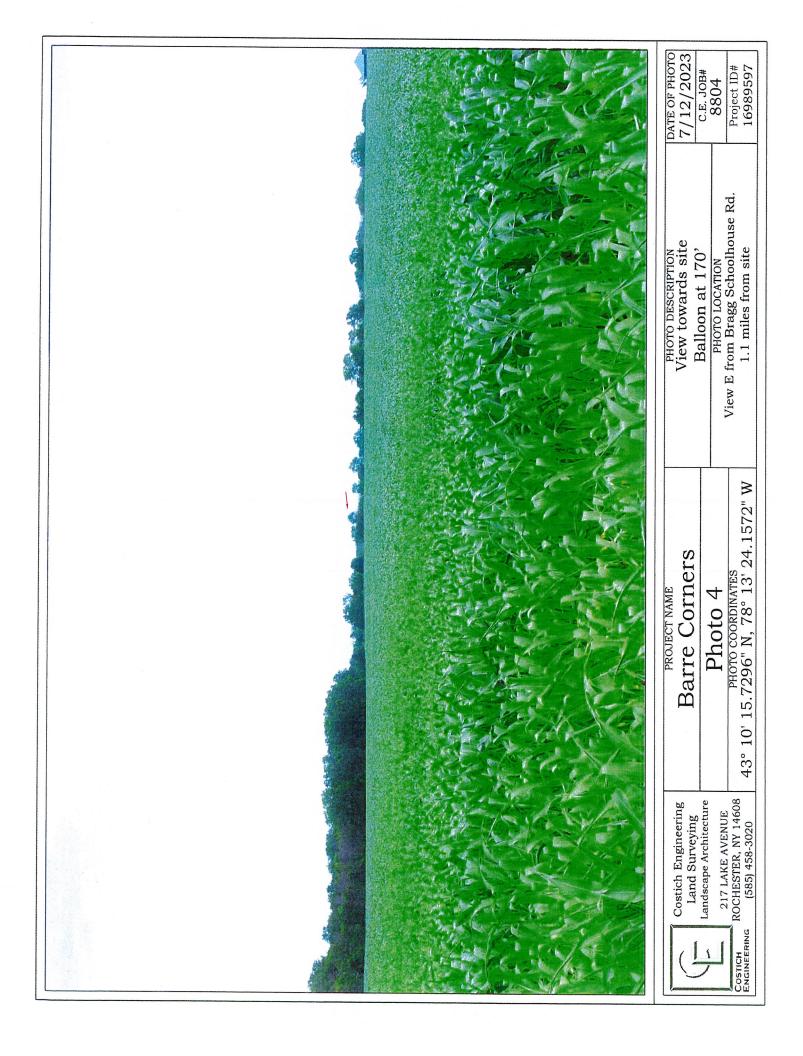
Photo 2

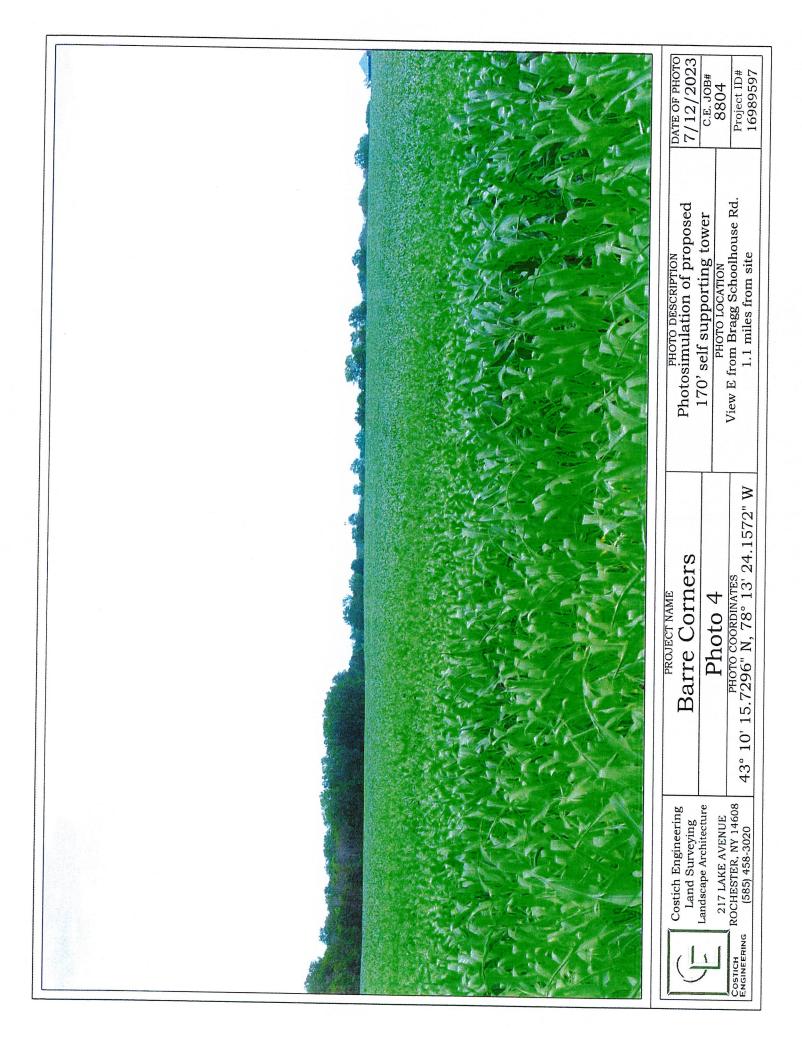
PHOTO COORDINATES
43° 10' 23.7072" N, 78° 11' 50.1900" W

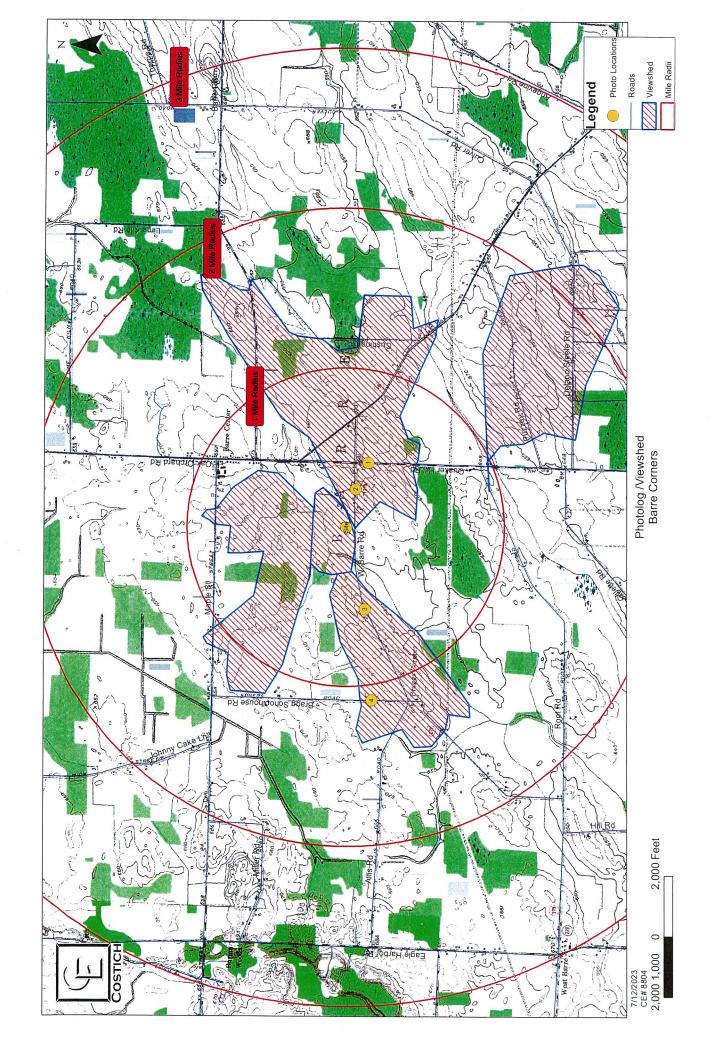
Project ID# 16989597 View NW from W. Barre Rd. 1293' from site











AGRICULTURAL DATA STATEMENT

Per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance, or subdivision approval requiring municipal review and approval that would occur on property within a New York State Certified Agricultural District containing a farm operation or property with boundaries within 500 feet of a farm operation located in an Agricultural District shall include an Agricultural Data Statement.

Α.	Name of applicant:	Bell Atlantic Mobile Systems LLC, d/b/a Verizon Wireless		
	Mailing address:	1300 Clinton Square, Rochester, N	Y 14604	
	wamig dadi oso:	Nixon Peabody LLP, agents for Verizon	Wireless	
B. 	Description of the pro	DPOSED Project: Venzon Wireless proposes to construct and operate	e a 170' (174' with lightning rod) telecommunications facility	
	Project site address:	14295 West Barre Road	Town: Barre	
D.	Project site tax map	number: 1061-73.1		
E:		d on property: ural District containing a farm operation, or within 500 feet of a farm operation located in a	an Agricultural District.	
F.	Number of acres affe	ected by project:		
G.	Is any portion of the Yes. If yes, I	project site currently being farmed? how many acres 54.16 or square feet_	?	
<u>an</u>	Name and address of is located within 500 se Exhibit P.	of any owner of land containing farm operation feet of the boundary of the property upon w	hich the project is proposed.	
	Attach a copy of the	current tax map showing the site of the prop	posed project relative to the location	
	farm operations identi			
~ ^	. ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~	FARM NOTE		
oth or	er conditions that may l	ald be aware that farm operations may generate be objectionable to nearby properties. Local goves within State Certified Agricultural Districts unless	ernments shall not unreasonably restric	
~ ′	,			
	rear the pair		8/25/2023	
	Name and Title of	Person Completing Form	Date	

Robert W. Burgdorf, Esq., Nixon Peabody LLP - attorneys for Verizon Wireless



Nixon Peabody LLP 1300 Clinton Square Rochester, NY 14604-1792 Robert W. Burgdorf Partner

Attorneys at Law nixonpeabody.com @NixonPeabodyLLP

T / 585.263.1333 rburgdorf@nixonpeabody.com

August 25, 2023

VIA U.S. MAIL

RE:

Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless' application (the "Application") to the Town of Barre (the "Town") for a Special Use Permit, an Area Variance, and Site Plan Approval to construct and operate a 170' wireless telecommunications facility (with 4' lightning rod) on property located at 14295 West Barre Road (Tax Parcel No. 106.-1-73.1) in the Town of Barre, Orleans County, New York (Verizon Wireless'

"Barre Corners" site)

Dear Neighbor:

This letter is to inform you that Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless has made an application to the Town of Barre Planning Board and the Town of Barre Zoning Board of Appeals for the approvals necessary to construct and operate a wireless telecommunications tower at 14295 West Barre Road in the Town of Barre.

Enclosed is an Agricultural Data Statement that is required to be sent to the owners of property located within 500' of the project site with potential agricultural operations.

Sincerely,

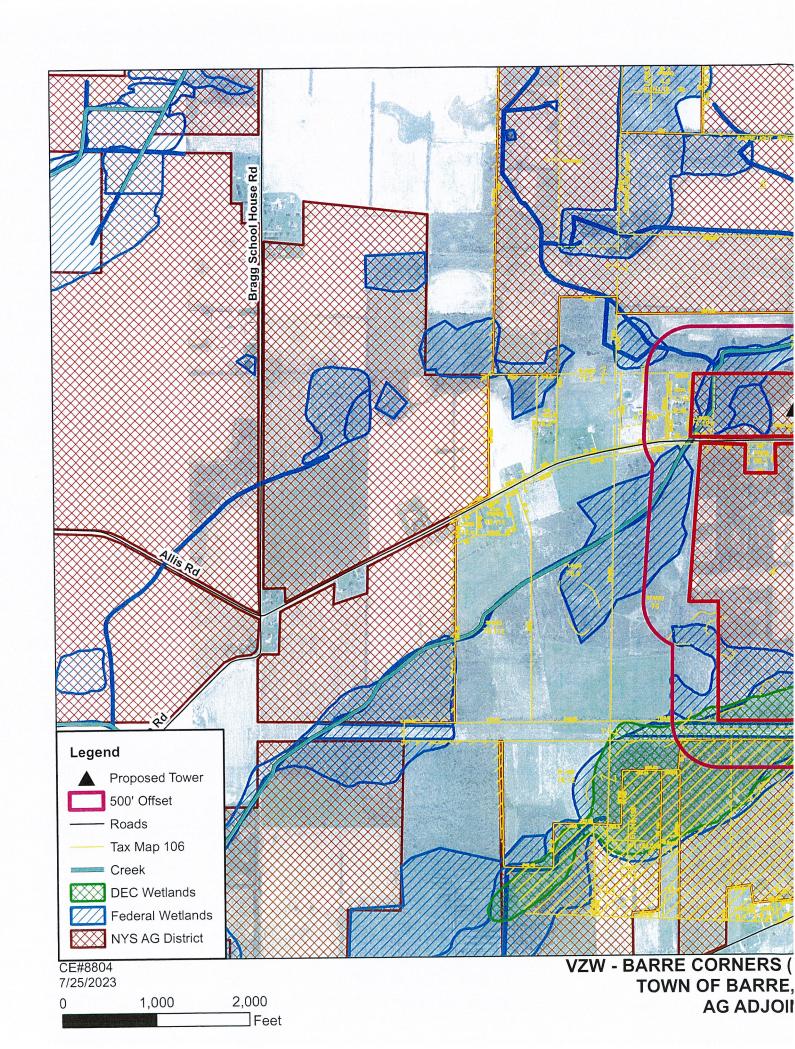
Robert W. Burgdorf

Kolat Buydet

RWB/mkv Enclosures

VZW- BARF LIST OF ADJOINERS WITH (HIGHLIGHTED PARCELS LC

TA#	OWNER NAME	MAILING ADDRESS	CITY
1061-43.12	Tobey L. Corke	5031 Quaker Hill Road	Albion
1061-43.21	Conrad F. & Margaret Cropsey	PO Box 69 5091 Quaker Hill Roadd	Albion
1061-43.221	Christina A. Snook/Sonja Renee Schad	14237 West Bacon Road	Albion
106-1-57.1	Kelly L. & Jamie L. Marling	14350 West Barre Road	Albion
1061-57.2	Garrett M. VanLieshout	4759 Oak Orchard Road	Albion
1061-58.1	Jean F. & Cathy A. Depatie	4960 Quaker Hill Road	Albion
1061-59.1	Jeffrey S. Worthington	4 Prospect Avenue	Batavia
1061-59.2	Jeffrey S. Worthington	7789 Fotch Road	Batavia
1061-66.1	Town of Barre	14317 West Barre Road	Albion
1061-68.1	Mete C. Konuksever/Melissa R. Elich	14226 West Barre Road	Albion
1061-69.1	Donna M. Auman	14304 West Barre Road	Albion
1061-69.2	Jillian R. Olsen/Brent M. Leddon	14316 West Barre Road	Albion
1061-71.121	Elizabeth J. Ray	13569 Phipps Road	Albion
1061-71.122	Merlin & Laurie Moyer	14205 West Barre Road	Albion
1061-74.11	The Hick's	14167 West Barre Road	Albion
1061-75	Bradley M. Shaughnessy	16632 Bethlehem Road	Winslo
1061-76.12	Ernest & Norman Loss	14060 Root Road	Albion
1061-78	National Grid	Real Estate Tax Dept-300 Erie Blvd W	Syracu
1171-4.1	Torrey Lands, LLC	PO Box 187	Elba
1171-18.3	Maria A. Coccitti	5193 Quaker Hill Road	Albion

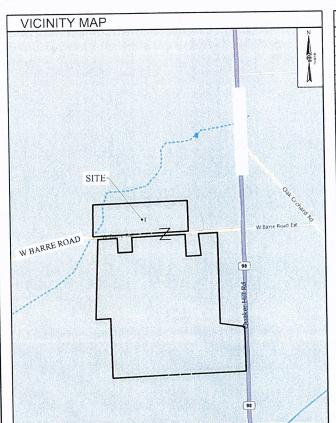


BELL ATLANTIC MOBILE SYSTEMS LLC. d/b/a



SITE NAME: BARRE CORNERS ZONING DRAWINGS

PROJECT ID: 16989597 MDG LOCATION ID: 5000919476



911 SITE ADDRESS:	14257 WEST BARRE ROAD		
	ALBION, NEW YORK 14411		
MUNICIPALITY:	TOWN OF BARRE		
COUNTY	ORLEANS		
TAX MAP NUMBER:	1061-73.1 (218.2 ACRES PER TAX MAP)		
ZONING DISTRICT:	RESIDENTIAL (R-1)		
TOWER SETBACK REQ.:	TOWER HEIGHT: 170'		
	FRONT: 75'		
	REAR: 15'		
	SIDE: 15'		
ATITUDE.	43.173982° (43° 10' 26.33" N)		
LATITUDE:	43.173982° (43° 10' 26.33" N) -78.202039° (78° 12' 07.34" W) PER REF. #7		
LONGITUDE:	659 0'± AMSL		
BASE ELEVATION:	000.0 ± AMOL		
PROPERTY OWNER:	FREDERICK A. DANIELS IRREVOCABLE TRUST		
	ADRIENNE C. DANIELS IRREVOCABLE TRUST		
	DAVID SCOTT DANIELS		
	14295 WEST BARRE ROAD		
	ALBION, NEW YORK 14411		
APPLICANT:	BELL ATLANTIC MOBILE SYSTEMS, LLC		
AFFLICANT.	d/b/a VERIZON WIRELESS		
	1275 JOHN STREET, SUITE 100		
	WEST HENRIETTA, NY 14586		
CONTACT:	KATIE JAECKEL		
PHONE:	(585) 474-2095		
LIMITS OF DISTURBANCE:	0.46 ACRES		

SHEET #	DESCRIPTION	REV NO	REVISION DATE
GA001	TITLE SHEET	3	08/14/2023
GA001	GENERAL NOTES	3	08/14/2023
Criocz			
VA100	SCHEMATIC TOTAL HOLDINGS	3	08/14/2023
VA110	SURVEY PLAN	3	08/14/2023
VA120	SURVEY NOTES AND DESCRIPTIONS	3	08/14/2023
CA100	OVERALL SITE PLAN	3	08/14/2023
CA110	COMPOUND PLAN	3	08/14/2023
CA120	GRADING AND EROSION CONTROL PLAN	3	08/14/2023
CA130	PROPOSED WETLAND CROSSING PLAN	3	08/14/2023
CA500	TOWER ELEVATION, ORIENTATION AND RF INFO	3	08/14/2023
CA501	EQUIPMENT ELEVATIONS	3	08/14/2023
CA502	SITE DETAILS	3	08/14/2023
CA503	GRADING AND EROSION CONTROL DETAILS	3	08/14/2023
			-
-			
-			

UTILITY PRO	VIDERS	
LECTRIC PROVIDER:	NATIONAL GRID	
SR#:	TBD	
ACCOUNT #:	TBD	
PLANNER:	TBD	
PHONE:	TBD	
FIBER:	TBD	
PLANNER:	TBD	
PHONE:	TBD	

DIG SAFELY - NEW YORK



Before You Dig, Drill Or Blast!

Dig Safely.
New York

UNDERGROUND FACILITIES PROTECTIVE ORGANIZATION CALL US TOLL FREE 1-800-962-7962 NY industrial code rule 753 requires no less that two working days notice, but not more than ter days notice.

DO NOT SCALE DRAWINGS

THESE DRAWINGS ARE FORMATTED FOR 22"x34" FULL SIZE AND 11"x17" HALF SIZE. OTHER SIZED VERSIONS ARE NOT PRINTED TO THE SCALE SHOWN. CONTRACTOR SHALL VERIFY ALL PLANS, EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

SCOPE OF WORK

THE PROPOSED WORK CONSISTS OF THE CONSTRUCTION AND INSTALLATION OF AN UNMANNED WIRELESS FACILITY WITH ASSOCIATED UTILITIES.



1275 JOHN STREET, SUITE #100 WEST HENRIETTA, NEW YORK 14586



ENGINEERING

SURVEYING

LANDSCAPE
 ABCHITECTURE

ENGINEERING 217 LAKE AVENUE ROCHESTER, NY 146 (585) 458-3020

NO.	DATE	BY	COMMENTS
0	04/14/2023	AJL	ISSUED PRELIMINARY FOR REVIEW
1	04/21/2023	AJL	ADDED FEDERAL WETLAND PER GIS MAPPER
2	06/20/2023	RDL	REVISED PER UPDATED RFDS
3	08/14/2023	RDL	ISSUED FINAL
-			



D.A.W.

A.J.L.

COPYRIGHT 2023 COSTICH ENGINEERING, D.P.C.

IT IS A VIOLATION OF LAW FOR ANY PERSON UNLESS ACTING UNDER THE DIRECTION LOSS ACTING THE DIRECTION LOSS ACTING THE PROPERTY OF THE PROPERTY O

BARRE CORNERS PROJECT ID: 16989597 MDG LOCATION ID: 5000919476

TOWN OF BARRE COUNTY OF ORLEANS STATE OF NEW YORK

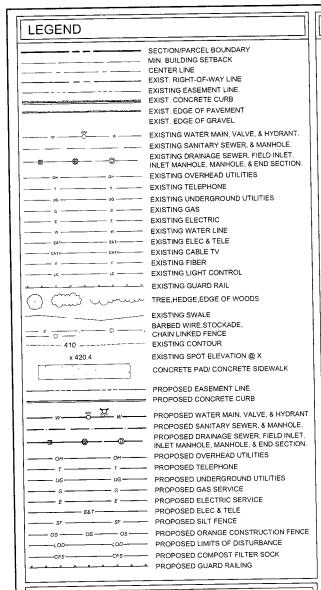
SHEET TITLE

TITLE SHEET

8804

GA001

SHEET C1 OF 13



FENCING NOTES

- CORNER POSTS, PULL POSTS, AND END POSTS SHALL BE 3" NOMINAL O.D. CURNER POSTS, FULL POSTS, AND END POSTS SPRALE BES INVANIANCE OF AN EXPENSIVE OF A STEEL PIPE CONFORMING WITH ASTM F-1083. GATE POSTS SHALL BE 4" MOMINAL O.D., SCHEDULE 40, STEEL PIPE CONFORMING WITH ASTM F-1083 AND MAY BE UTILIZED FOR SINGLE GATE OPENING WIDTHS OF 6 FEET OR LESS AND FOR DOUBLE GATE OPENING WIDTHS OF 12 FEET OR LESS.
- LINE POSTS SHALL BE 2" NOMINAL O.D. SCHEDULE 40 STEEL PIPE CONFORMING WITH ASTM F-1083.
- TOP RAIL AND BRACE RAIL SHALL BE 1 5/8" NOMINAL O.D. PIPE CONFORMING WITH
- GATE FRAMES SHALL BE FABRICATED FROM 1 1/2" NOMINAL O.D. PIPE
- FENCE FABRIC SHALL BE 9 GAUGE WIRE SIZE, 2" MESH CHAIN LINK FENCE CONFORMING WITH ASTM A-392.
- TIF WIRE SHALL BE AS FOLLOWS
- I ILE WIRE SHALL BE AS POLLOWS:

 a) AT POSTS, RAILS, AND WHERE NECESSARY ON GATE FRAMES. MINIMUM 11
 GAUGE GALVANIZED STEEL SPACED AT NOT LESS THAN 14" ON CENTER.

 b) AT TENSION WIRES. BY HOG RINGS SPACED AT NOT LESS THAN 24" ON
- TENSION WIRE SHALL BE 7 GAUGE GALVANIZED STEEL.
- THE GATE LATCH SHALL BE THE MALLEABLE IRON FORK TYPE AS MANUFACTURED BY PAGE WILSON AS THEIR TYPE 75 GATE LATCH ASSEMBLY, OR EQUAL. PAD
- FENCE SHALL BE INSTALLED IN ACCORDANCE WITH ASTM F-567 AND GATES SHALL BE INSTALLED IN ACCORDANCE WITH ASTM F-900.

SITE NOTES

- ALL SITE WORK SHALL BE AS INDICATED ON THE DRAWINGS.
- RUBBISH, STUMPS, DEBRIS, STICKS, STONES AND OTHER REFUSE SHALL BE REMOVED FROM THE SITE AND DISPOSED OF LEGALLY
- THE SITE SHALL BE GRADED TO CAUSE SURFACE WATER TO FLOW AWAY FROM THE
- NO FILL OR EMBANKMENT MATERIAL SHALL BE PLACED ON FROZEN GROUND. FROZEN ATERIALS, SNOW OR ICE SHALL NOT BE PLACED IN ANY FILL OR EMBANKMEN
- THE SUBGRADE SHALL BE COMPACTED AND BROUGHT TO A SMOOTH UNIFORM GRADE PRIOR TO FINISHED SURFACE APPLICATION
- ALL EXISTING ACTIVE SEWER, WATER, GAS, ELECTRIC, AND OTHER UTILITIES WHERE ALL EXISTING AUTHOR SEWEN, WATER, WAS ELECTED AT ALL TIMES, AND WHERE REQUIRED ENCOUNTERED IN THE WORK, SHALL BE PROTECTED AT ALL TIMES, AND WHERE REQUIRED FOR THE PROPER EXECUTION OF THE WORK, SHALL BE RELOCATED AS DIRECTED BY THE VGINEER. EXTREME CAUTION SHOULD BE USED BY THE CONTRACTOR WHEN EXCAVATING OR PIER DRILLING AROUND OR NEAR UTILITIES.
- ALL EXISTING INACTIVE SEWER, WATER, GAS, ELECTRIC AND OTHER UTILITIES, WHICH INTERFERE WITH THE EXECUTION OF THE WORK, SHALL BE REMOVED AND/OR CAPPED, PLUGGED OR OTHERWISE DISCONTINUED AT POINTS WHICH WILL NOT INTERFERE WITH THE EXECUTION OF THE WORK, SUBJECT TO THE APPROVAL OF THE ENGINEER.
- THE AREAS OF THE OWNERS PROPERTY DISTURBED BY THE WORK SHALL BE GRADED TO A UNIFORM SLOPE, FERTILIZED, SEEDED, AND COVERED WITH MULCH
- CONTRACTOR SHALL MINIMIZE DISTURBANCE TO EXISTING SITE DURING CONSTRUCTION. EROSION CONTROL MEASURES, IF REQUIRED DURING CONSTRUCTION, SHALL BE IN CONFORMANCE WITH THE STATE GUIDELINES AND ANY LOCAL REGULATIONS.
- 10. ALL RESTORATION ISSUES SHALL BE COMPLETED WITHIN 72 HOURS OF THE COMPLETION OF THE WORK ACTIVITY OR WITHIN A REASONABLE AMOUNT OF TIME AS DIRECTED BY CONSTRUCTION MANAGER/ENGINEER.
- CARE SHALL BE TAKEN TO RETAIN NATURAL GROWTH AND PREVENT DAMAGE TO TREES WITHIN AND OUTSIDE THE LIMITS OF CONSTRUCTION AND SPECIFIED WORK AREAS CAUSED BY EQUIPMENT AND MATERIALS. ANY DAMAGE TO THIS NATURAL GROWTH SHALL BE TORED AT THE EXPENSE OF THE CONTRACTOR
- 12. ALL AREAS DISTURBED BY THE CONTRACTOR WITHOUT AUTHORIZATION SHALL BE RESTORED BY THE CONTRACTOR
- 13. IN THE EVENT THE CONTRACTOR DAMAGES AN EXISTING UTILITY SERVICE CAUSING AN IN THE EVENT THE CONTRACTOR DAMAGES AN EAGING OF HITTER PROVIDE CAUSING AN INTERRUPTION IN SAID SERVICE, HE SHALL IMMEDIATELY COMMENCE WORK TO RESTORE SERVICE AND MAY NOT CONTINUE HIS WORK OPERATION UNTIL SERVICE IS RESTORED.

STRUCTURAL NOTES:

- PROPOSED TOWER AND FOUNDATION TO BE DESIGNED BY A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF NEW YORK.
- THE VERIFICATION OF STRUCTURAL ADEQUACY AND DESIGN OF THE ATTACHMENTS MUST BE PERFORMED, PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, BY A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF NEW YORK.
- ALL WORK SHALL CONFORM TO THE CURRENT STANDARD (ANSI/TIA-222-G "STRUCTURAL STANDARD STANDARD FOR ANTENNA SUPPORTING STRUCTURES AND ANTENNAS"), NEW YORK STATE BUILDING CODE, AND ALL OTHER APPLICABLE LOCAL, STATE, AND FEDERAL

REFERENCES

- TOPOGRAPHY SHOWN FROM A FIELD SURVEY BY COSTICH ENGINEERING ON 4/3/2023 HORIZONTAL AND VERTICAL DATA OBTAINED THROUGH NYSDOT CORS NETWORK REFERENCED TO THE FOLLOWING MONUMENT
 - LOCKPORT CORS STATION LATITUDE: 43-09-54.85468 (N) NAD 83 (CORS) -LONGITUDE: 078-45-13.35690 (W)
 -ELLIP HEIGHT: 166.286 METERS NAVD 88 (CORS)
- BOUNDARY LINES ARE SHOWN PER REFERENCE NO. 1
- MAP ENTITLED "INSTRUMENT SURVEY 14295 WEST BARRE ROAD" PREPARED BY OWEN &
- PER THE NYSDEC FRESHWATER WETLANDS MAP, THERE IS A NYSDEC CLASS C STREAM $550\pm$ NORTH OF THE PROJECT AREA.
- PER A WETLANDS DELINEATION COMPLETED BY EARTH DIMENSIONS INC. COMPLETED ON 03/30/2023, THERE ARE FEDERAL WETLANDS WITHIN THE PROJECT AREA. SEE DELINEATION REPORT PREPARED BY EARTH DIMENSIONS INC. DATED 03/30/3023.
- PER THE ERSIFEMA PROJECT IMPACT HAZARD INFORMATION AND AWARENESS SITE MAP THERE IS A NO 100 YR. FLOOD PLAIN IN THE PROJECT AREA.
- PER A 1A CERTIFICATION LETTER PREPARED BY COSTICH ENGINEERING D.P.C. DATED

EROSION & SEDIMENT CONTROL MEASURES

TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES

GENERAL MEASURES:

- AS MUCH AS IS PRACTICAL, EXISTING VEGETATION SHALL BE PRESERVED. FOLLOWING THE COMPLETION OF CONSTRUCTION ACTIVITIES IN ANY PORTION OF THE SITE, PERMANENT VEGETATION SHALL BE ESTABLISHED ON ALL EXPOSED SOILS.
- SITE PREPARATION ACTIVITIES SHALL BE PLANNED TO MINIMIZE THE SCOPE AND DURATION OF SOIL DISRUPTION.

PARTICULAR MEASURES:

- DRAINAGE DITCH SEDIMENT FILTERS: DITCHES, SHALL RECEIVE CHECK DAMS WITH 2-9 DRAINAGE DITCH SEDIMENT A TEAS. JOINES, SI LACEQUIREMENTS SO AS TO EFFECTIVELY TRAP SEDIMENT AND MINIMIZE ITS RELEASE OFF-SITE. CHECK DAMS SHALL HAVE A 9" MINIMUM WEIR AND BE CONSTRUCTED WITHIN EACH DITCH SHALL HAVE A 9" MINIMUM WEIR AND BE CONSTRUCTED WITHIN EACH DITCH BEGINNING AT ITS DOWNSTREAM TERMINUS. CHECK DAMS SHALL BE PLACED WITHIN THE CHANNEL SO THAT THE CREST OF THE DOWNSTREAM DAM IS AT THE ELEVATION OF THE TOE OF THE UPSTREAM DAM
- SILT FENCES AND COMPOST FILTER SOCKS SHALL BE CONSTRUCTED AROUND ALL SILL FERNOES AND COMPOST TERNOSCA STREET OF THE STOCKPILES OF FILL. TOPSOIL AND EXCAVATED OVERBURDEN THAT ARE TO REMAIN FOR PERIODS LESS THAN 30 DAYS. SILT FENCES AND COMPOST FILTER SOCKS SHALL BE ANCHORED AND MAINTAINED IN GOOD CONDITION UNTIL SUCH TIME AS STOCKPILES ARE REMOVED AND STOCKPILING AREAS ARE BROUGHT TO FINAL GRADE AND
- TOPSOIL AND FILL THAT IS TO REMAIN STOCKPILED ON-SITE FOR PERIODS GREATER THAN 30 DAYS SHALL BE STABILIZED BY SEEDING. PRIOR TO THE SEEDING OPERATION. THE STOCKPILED MATERIAL SHALL BE GRADED AS NEEDED AND FEASIBLE TO PERMIT THE USE OF CONVENTIONAL EQUIPMENT FOR SEEDBED PREPARATION, SEEDING, MULCH APPLICATION AND MULCH ANCHORING.
- IN NO CASE SHALL ERODIBLE MATERIALS BE STOCKPILED WITH 25 FEET OF ANY DITCH STREAM, OR OTHER SURFACE WATER BODY

PERMANENT AND TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES

- PERMANENT AND TEMPORARY VEGETATIVE COVER: IMMEDIATELY FOLLOWING THE PERMANENT I AND I EMPORANT VEGETATIVE COVER. IMMEDIATELY VEGETATIVE OVER. IMMEDIATELY VEGETATIVE OF VEGETATION OF CONSTRUCTION ACTIVITY OR WHERE WORK IS DELAYED AND WILL NOT BE DISTURBED FOR 21 DAYS OR MORE IN ANY PORTION OF THE SITE. PERMANENT OR TEMPORARY VEGETATION SHALL BE ESTABLISHED WITHIN 14 DAYS ON ALL EXPOSED SOILS. ALL DISTURBED AREAS SHALL BE SEEDED AND MULCHED AS SOON AS EXPOSED SOILS. ALL DISTURBED AREAS SHALL BE SEEDED AND MULCHED AS SOON AS PRACTICAL FOLLOWING DISTURBANCE TO STABILIZE BARE SOIL AND PROMOTE THE PROMPT RE-ESTABLISHMENT OF VEGETATION.
 - A. AN ADEQUATE SEEDBED SHALL BE PREPARED BY SCARIFYING COMPACTED SOIL AND REMOVING SURFACE DEBRIS AND OBSTACLES.
 - B. LIME SHALL BE APPLIED SUFFICIENTLY TO ATTAIN A SOIL ACIDITY pH OF 6.0 TO
 - C. FERTILIZER (5-10-10 MIXTURE OR EQUIVALENT) SHALL BE APPLIED PER SOIL TEST RESULTS OR AT A RATE OF 600 L6S PER ACRE.
 - D. DISTURBED AREAS WHICH WILL REMAIN TEMPORARILY FALLOW FOR PERIODS OREATER THAN 14 DAYS SHALL BE SEEDED AT THE FOLLOWING RATE TO PRODUCE TEMPORARY GROUND COVER: 30 LBS RYEGRASS (ANNUAL OR PERENNIAL) PER ACRE. DURING THE WINTER, USE 100 LBS CERTIFIED "AROOSTOCK" WINTER RYE (CEREAL RYE) PER ACRE.
 - PERMANENT SEEDING SHALL BE APPLIED ON 4" MIN. TOPSOIL AT THE FOLLOWING RATE FOR ROUGH OR OCCASIONAL MOWING AREAS: 8 LBS EMPIRE BIRDSFOOT TIREFOIL OR COMMON WHITE CLOVER PER ACRE. 20 LBS TALL FESCUE PER ACRE PLUS 2 LBS REDTOP OR 5 LBS RYEGRASS (PERENNIAL) PER ACRE

65 LBS KENTUCKY BLUEGRASS PER ACRE 65 LBS RYEGRASS (PERENNIAL) PER ACRE

- F. ALL SEEDING SHALL BE PERFORMED USING THE BROADCAST METHOD OR HYDROSEEDING, UNLESS OTHERWISE APPROVED.
- G. ALL DISTURBED AREAS SHALL BE STABILIZED SUBSEQUENT TO SEEDING BY ALL DISTORBED AREAS SHALL BE STABLIZED SOGSEQUENT OF SECTIONS OF STRAW MULCH PER ACRE. STRAW MULCH SHALL BE ANCHORED BY APPLYING 750 LBS OF WOOD FIBER MULCH PER ACRE WITH A HYDROSEEDER, OR TUCKING THE MULCH WITH SMOOTH DISCS OR OTHER MULCH ANCHORING TOOLS TO A DEPTH OF 3". MULCH ANCHORING TOOLS HALL BE PULLED ACROSS SLOPES ALONG TOPOGRAPHIC CONTOURS
- ALL UNNECESSARY REMOVAL OF HEALTHY TREES SHALL BE AVOIDED. MATERIALS L NOT BE STORED NOR MACHINERY OPERATED WITHIN THE DRIP-LINE OF THE

MAINTENANCE OF EROSION AND SEDIMENT CONTROL MEASURES:

- THE CONTRACTOR SHALL ON A DAILY BASIS INSPECT AND MAINTAIN THE INTEGRIT THE CONTRACTOR SHALL ON A DAIL TO BASIS IN EVEN THE CONTROL MEASURES THROUGHOUT THE DURATION OF THE CONSTRUCTION PROCESS.
- TO ASSURE PROPER FUNCTION, SILTATION BARRIERS SHALL BE MAINTAINED IN GOOD CONDITION AND REINFORCED, EXTENDED, REPAIRED OR REPLACED AS NECESSARY WASHOUTS SHALL BE IMMEDIATELY REPAIRED, RE-SEEDED AND PROTECTED FROM FURTHER EROSION.
- SEDIMENT SHALL BE REMOVED FROM BEHIND THE SEDIMENT FENCE WHEN IT BECOMES ABOUT 0.5 FEET DEEP AT THE FENCE AND FROM BEHIND THE COMPOST FILTER SOCKS ONCE IT REACHES 1/2 THE FILTER SOCK HEIGHT. THE SEDIMENT FENCE AND COMPOST FILTER SOCKS SHALL BE REPAIRED AS NECESSARY TO MAINTAIN
- ALL SEEDED AREAS SHALL BE FERTILIZED, RESEEDED AS NECESSARY, AND MULCHED ACCORDING TO SPECIFICATIONS IN THE VEGETATIVE PLAN IN ORDER TO MAINTAIN A VIGOROUS, DENSE VEGETATIVE COVER

SOIL AND EROSION CONTROL NOTES

- TEMPORARY SEDIMENTATION ENTRAPMENT AREAS SHALL BE PROVIDED AT KEY LOCATIONS TO INTERCEPT AND CLARIFY SILT LADEN RUNOFF FROM THE SITE.
- SILT THAT LEAVES THE SITE IN SPITE OF THE REQUIRED PRECAUTIONS SHALL BE COLLECTED AND REMOVED AS DIRECTED BY APPROPRIATE MUNICIPAL AUTHORITIES.
- AT THE COMPLETION OF THE PROJECT, ALL TEMPORARY SILTATION DEVICES SHALL BE REMOVED AND THE AFFECTED AREAS REGRADED, OR TREATED IN ACCORDANCE WITH THE
- ALL SEDIMENTATION ENTRAPMENT STRUCTURES WILL BE INSPECTED AND MAINTAINED ON
- . CONTRACTOR TO INSTALL EROSION CONTROL MEASURES (SILT FENCE AND/ OR COMPOST FILTER SOCKS) AROUND AREAS BEING DISTURBED DURING CONSTRUCTION AND AS NECESSARY
- 5. CONTRACTOR TO INSTALL SILT FENCE OR COMPOST FILTER SOCKS DOWNSLOPE OF ALL UTILITY TRENCHES.
- . DISTANCES SHOWN FROM THE WETLANDS IF ANY ON THE CONSTRUCTION PLANS AND SOIL EROSION AND SEDIMENT CONTROL PLANS ESTABLISH THE MINIMUM SEPARATION PERMITTED BETWEEN THE PROPOSED CONSTRUCTION ACTIVITIES AND BOUNDARY OF THE
- AREA OF DISTURBANCE LINES SHALL BE CLEARLY DELINEATED IN THE FIELD BY INSTALLING ORANGE CONSTRUCTION FENCING AROUND THE ENTIRE PROPOSED CONSTRUCTION AREA. EXCEPT AS NECESSARY TO PROVIDE MITIGATION PLANTINGS. NO ENCROACHMENT BEYOND THESE LIMITS BY WORKERS OR MACHINERY SHALL BE
- GRADING AND CLEARING AND OTHER CONSTRUCTION-RELATED ACTIVITIES SHALL TAKE PLACE ONLY WITHIN THE DELINEATED AREA OF DISTURBANCE LINES. THESE AREAS OF DISTURBANCE LINES REPRESENT THE MAXIMUM LIMITS OF CONSTRUCTION AREAS OF DISTORANCE LINES ARE INCLUDED THE INFORMATION AND ACTIVITIES. EVERY ATTEMPT SHALL BE MADE TO FURTHER REDUCE GRADING AND CLEARING ACTIVITIES WITHIN THE AREA OF DISTURBANCE LINES BY MAINTAINING NATURAL VEGETATION AND TOPOGRAPHY WHEREVER PRACTICABLE.
- ALL CONSTRUCTION AND CONSTRUCTION RELATED-ACTIVITIES OCCURRING ON THIS SITE SHALL COMPLY WITH THE STANDARDS AND RECOMMENDATIONS OF THE NEW YORK STATE STANDARDS AND SPECIFICATIONS FOR EROSION AND SEDIMENT
- PRIOR TO THE COMMENCEMENT OF ANY SITE WORK, THE APPLICANT SHALL STAKE THE LOCATION OF THE CONSTRUCTION ACTIVITY FOR INSPECTION AND APPROVAL BY THE TOWN ENGINEER (IF REQUIRED).
- ALL SOIL EROSION AND SEDIMENTATION CONTROL MEASURES SHOWN ON THIS PLAN ALL SOIL EROSION AND SEDIMENTATION OF THE WORK, THE TOWN ENGINEER SHALL BE IN PLACE PRIOR TO THE START OF ANY SITE WORK, THE TOWN ENGINEER SHALL HAVE INSPECTED THE INSTALLATION OF ALL REQUIRED SOIL EROSION AND SEDIMENTATION CONTROL MEASURES PRIOR TO THE AUTHORIZATION TO PROCEED WITH ANY PHASE OF THE SITE WORK (IF REQUIRED)
- THROUGHOUT THE CONSTRUCTION PERIOD, A QUALIFIED PROFESSIONAL RETAINED BY THE APPLICANT SHALL, ON AT LEAST A WEEKLY BASIS, PRIOR TO ANY PREDICTED RAIN EVENT AND AFTER RUNOFF-PRODUCING RAIN EVENT, INSPECT THE SOIL EROSION AND SEDIMENTATION CONTROL MEASURES TO ENSURE THEIR PROPER
- ALL DRAINAGE STRUCTURES AND ANY OTHER REQUIRED UTILITY APPURTENANCES FILE DIVINITY OF SHOUL TURES AND ANY OFFICE REQUIRED UTILITY APPURTENANCE: SHALL BE INSTALLED AS REQUIRED BY TOWN SPECIFICATIONS AND AS SHOWN ON THESE PLANS.
- IF THE APPLICANT, DURING THE COURSE OF CONSTRUCTION, ENCOUNTERS SUCH CONDITIONS AS FLOOD AREAS, UNDERGROUND WATER, SOFT OR SILTY AREAS MPROPER DRAINAGE, OR OTHER UNUSUAL CIRCUMSTANCES OR CONDITIONS THAT IMPROPER DRAINES, ON OTHER DROSDAY. CITICOMOTHER STALL REPORT SUCH WERE NOT FORESEEN IN THE ORIGINAL PLANNING, THEY SHALL REPORT SUCH CONDITIONS IMMEDIATELY TO THE TOWN ENGINEER. THE APPLICANT MAY SUBMIT, IF THEY SO DESIRE, THEIR RECOMMENDATIONS AS THE SPECIAL TREATMENT TO BE GIVEN SUCH AREAS TO SECURE ADEQUATE, PERMANENT AND SATISFACTORY. CONSTRUCTION. THE TOWN ENGINEER, WITHOUT UNNECESSARY DELAY, SHALL INVESTIGATE THE CONDITION OR CONDITIONS, AND SHALL EITHER APPROVE THE APPLICANT'S RECOMMENDATION TO CORRECT THE CONDITIONS, ORDER A MODIFICATION THEROP. OR ISSUE THEIR OWN SPECIFICATION FOR THE CORRECTION MODIFICATION THEROF. OR ISSUE THEIR OWN SPECIFICATION FOR THE CONDITIONS. IN THE EVENT OF THE APPLICANT'S DISAGREEMENT WITH THE DECISION OF THE TOWN ENGINEER, OR IN THE EVENT OF A SIGNIFICANT CHANGE RESULTING TO THE SITE PLAN OR ANY CHANGE THAT INVOLVES WETLAND REGULATED AREAS. THE MATTER SHALL BE DECIDED BY THE PLANNING BOARD. ANY SUCH CONDITIONS OBSERVED BY THE PLANNING BOARD OR ITS AGENTS SHALL BE



1275 JOHN STREET, SUITE #100 WEST HENRIFTTA NEW YORK 14586



Engineering

SURVEYING LANDSCAPE

ENGINEERING

NO. DATE BY COMMENTS 0 04/14/2023 AJL ISSUED PRELIMINARY FOR 2 06/20/2023 RDL REVISED PER UPDATED 3 108/14/2023 RDL ISSUED FINA



D.A.W DRAWN BY A.J.L

PROJECT

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IT IS A VIOLATION OF LAW FOR ANY PERSON IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, LAND SURVEYOR, ARCHITECT OR LANDSCAPE ARCHITECT, TO ALTER ANY ITEM ON THIS DOCUMENT IN ANY WAY, ANY LICENSEE WHO ALTERS THIS DOCUMENT IS REQUIRED BY LAW TO AFFICH MISY HER SEAL AND THE NOTATION "ALTERED BY", FOLLOWED BY HISY HER SEAL AND THE NOTATION ALTERED BY", FOLLOWED BY HISY HER SIGNATURE AND SPECIFIC DESCRIPTION OF THE ALTERATION, TO THE DOCUMENT. SITE INFORMATION

BARRE CORNERS PROJECT ID: 16989597 MDG LOCATION ID: 5000919476

TOWN OF BARRE COUNTY OF ORLEANS STATE OF NEW YORK

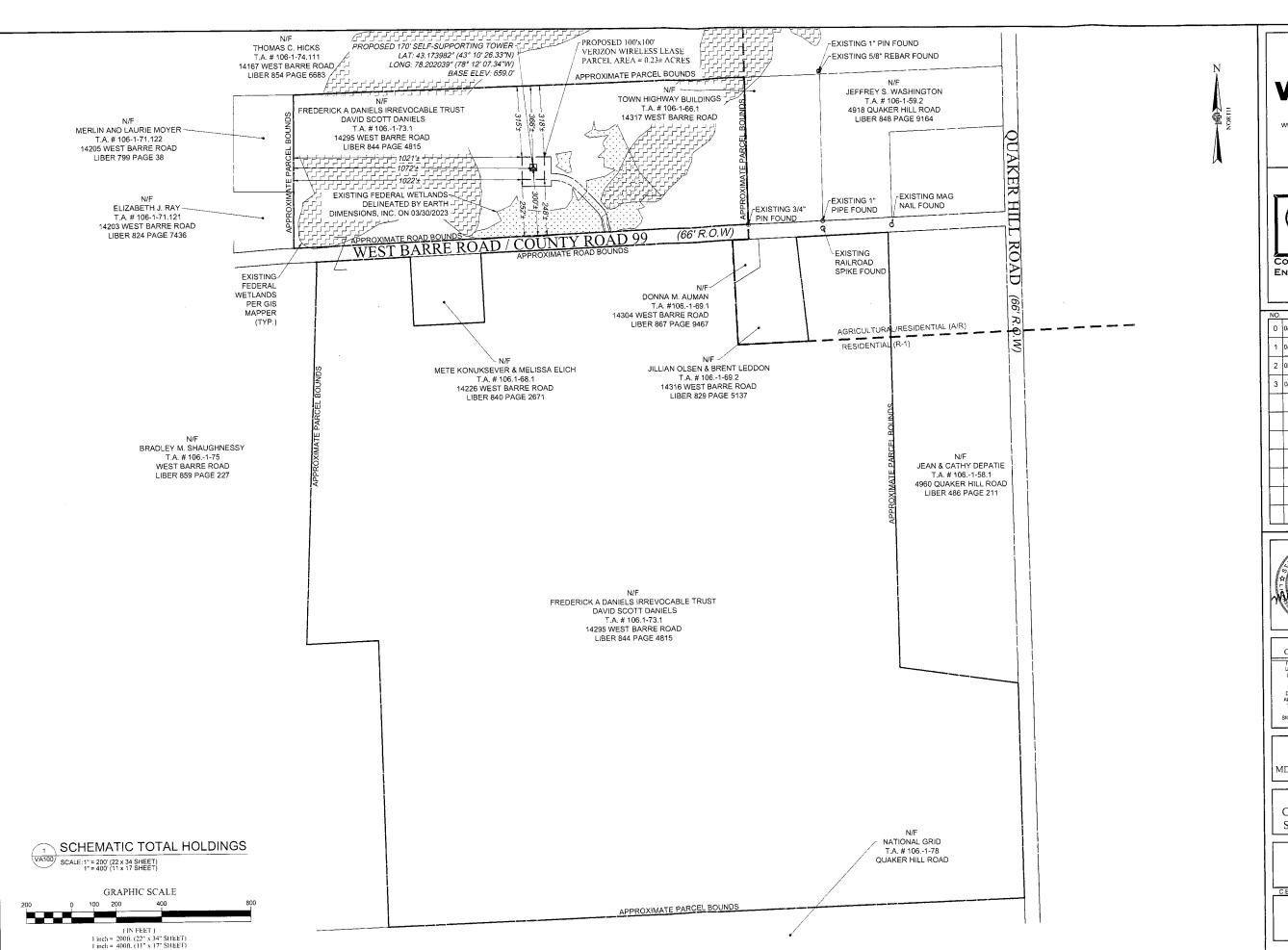
SHEET TITLE

GENERAL NOTES

8804

SHEET NUMBER GA002

SHEET 02 OF 13





1275 JOHN STREET, SUITE #100



ENGINEERING • LAND SURVEYING LANDSCAPE ARCHITECTURE

COSTICH COSTICH 217 LAKE AVENUE ROCHESTER, NY 1460 (595) 458 3020

NO. DATE BY COMMENTS 0 04/14/2023 AJL ISSUED PRELIMINARY FOR 1 04/21/2023 AJL ADDED FEDERAL WETLAN 2 06/20/2023 RDL REVISED PER UPDATED 3 08/14/2023 RDL ISSUED FINAL



PROJECT MANAGER D.A.W.

DRAWN BY

A.J.L.

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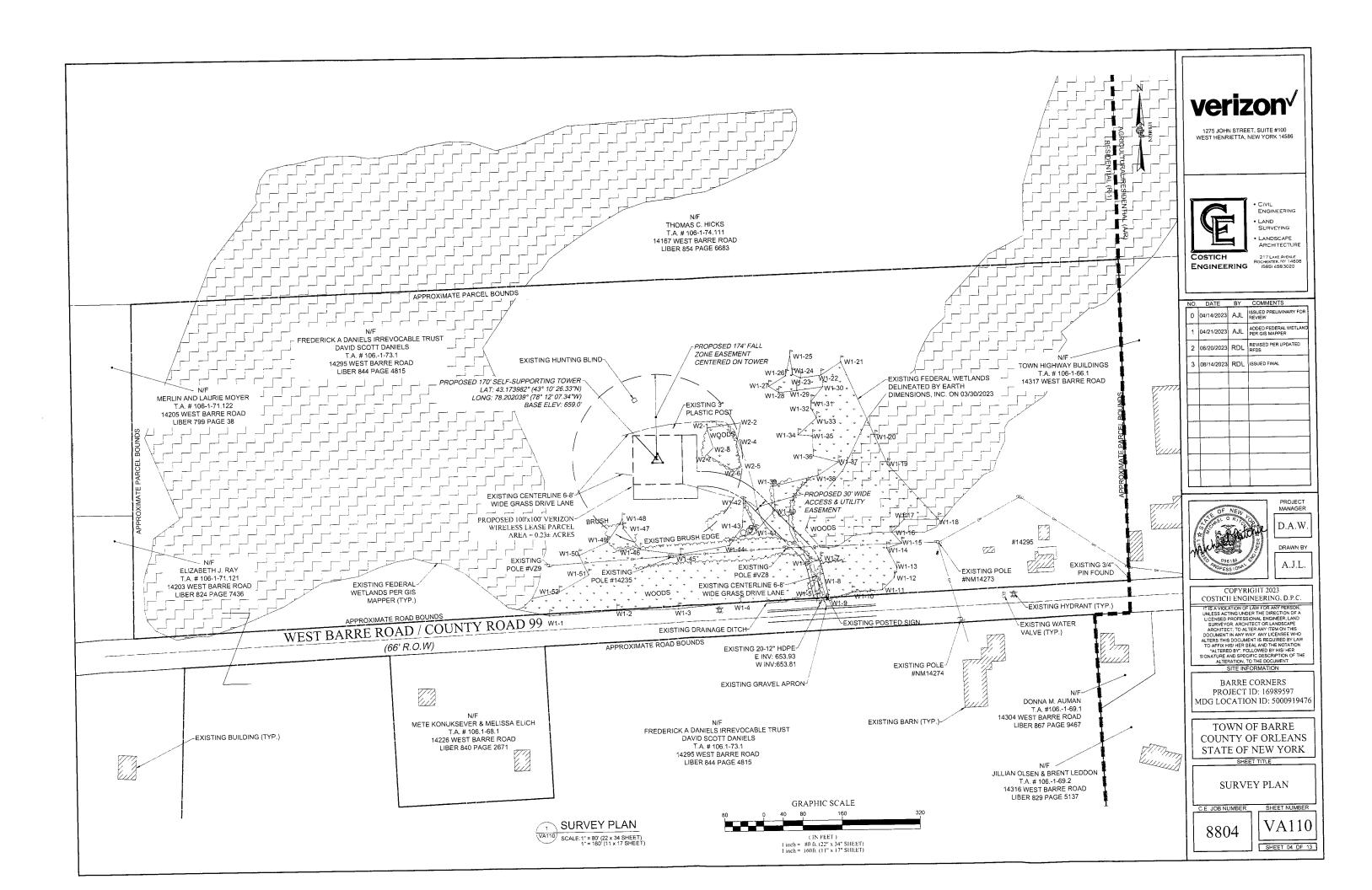
SCHEMATIC TOTAL HOLDINGS

C.E. JOB NUMBER

SHEET NUMBER

VA100 8804

SHEET 03 OF 13



DESCRIPTION OF ACCESS & UTILITY EASEMENT

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF BARRE, COUNTY OF ORLEANS, STATE OF NEW YORK, ALL AS SHOWN ON A MAP ENTITLED "BARRE CORNERS PROJECT # 2022407271 SURVEY PLAN", PREPARED BY COSTICH ENGINEERING, D.P.C., HAVING DRAWING NUMBER 8804 VA110, LAST REVISED 04/21/2023, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT BEING THE INTERSECTION OF THE ASSUMED COMMON PROPERTY LINE OF LANDS NOW OR FORMERLY OWNED BY DAVID SCOTT DANIELS, TRUSTEE OF FREDERICK A. DANIELS AND ADRIENNE C. DANIELS IRREVOCABLE TRUST HAVING T.A. # 106.-1-73.1 TO THE WEST AND LANDS NOW OR FORMERLY OWNED BY TOWN HIGHWAY BUILDINGS HAVING T.A. # 106-1-66.1 TO THE EAST WITH THE ASSUMED NORTH RIGHT-OF-WAY LINE OF WEST BARRE ROAD – COUNTY ROAD 99; THENCE

- A. S87°24'55"W, ALONG SAID ASSUMED NORTH RIGHT-OF-WAY LINE OF WEST BARRE ROAD – COUNTY ROAD 99, A DISTANCE OF 615.17 FEET TO THE POINT AND PLACE OF BEGINNING; THENCE
 - \$87°24'55"W CONTINUING ALONG THE AFORESAID LINE, A DISTANCE OF 30.44 FEET TO A POINT; THENCE
 - 2. N12°18'34"W, A DISTANCE OF 55.72 FEET TO A POINT; THENCE
 - ALONG A CURVE TO THE LEFT HAVING A DELTA ANGLE OF 31°19'29", A
 RADIUS OF 71.00 FEET, AND AN ARC DISTANCE OF 38.82 FEET, SAID
 CURVE ALSO HAVING A CHORD OF N27°58'18"W 38.34 FEET TO A POINT:
 THENCE
 - 4. N43°38'03"W, A DISTANCE OF 139.54 FEET TO A POINT; THENCE
 - ALONG A CURVE TO THE LEFT HAVING A DELTA ANGLE OF 46°21'57", A RADIUS OF 135.00 FEET, AND AN ARC DISTANCE OF 109.25 FEET, SAID CURVE ALSO HAVING A CHORD OF N66°49'01"W 106.29 FEET TO A POINT; THENCE
 - 6. S90°00'00"W, A DISTANCE OF 11.36 FEET TO A POINT; THENCE
 - 7. S00°00'00"E, A DISTANCE OF 25.03 FEET TO A POINT; THENCE
 - 8. S90°00'00"W, A DISTANCE OF 130.00 FEET TO A POINT; THENCE
 - 9. N00°00'00"E, A DISTANCE OF 30.00 FEET TO A POINT; THÊNCE
 - 10. N90°00'00"E, A DISTANCE OF 100.00 FEET TO A POINT; THENCE
 - 11. N00°00'00"E, A DISTANCE OF 100.00 FEET TO A POINT; THENCE
 - 12. N90°00'00"E, A DISTANCE OF 30.00 FEET TO A POINT; THENCE
 - 13. S00°00'00"E, A DISTANCE OF 74.97 FEET TO A POINT; THENCE
 - 14. N00°00'00"E, A DISTANCE OF 11.36 FEET TO A POINT; THENCE
 - 15. ALONG A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 46°21'57", A RADIUS OF 165.00 FEET, AND AN ARC DISTANCE OF 133.52 FEET, SAID CURVE ALSO HAVING A CHORD OF S66°49'01"E 129.91 FEET TO A POINT; THENCE
 - 16. S43°38'03"E, A DISTANCE OF 139.54 FEET TO A POINT; THENCE
 - ALONG A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 31°19'29". A
 RADIUS OF 101.00 FEET, AND AN ARC DISTANCE OF 55.22 FEET, SAID
 CURVE ALSO HAVING A CHORD OF S27°58'18"E 54.53 FEET TO A POINT;
 THENCE
 - 18. S12°18'34"E, A DISTANCE OF 60.86 FEET TO THE POINT AND PLACE OF BEGINNING. CONTAINING 0.418 ACRES OF LAND, MORE OR LESS.

DESCRIPTION OF LEASE PARCEL

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF BARRE, COUNTY OF ORLEANS, STATE OF NEW YORK, ALL AS SHOWN ON A MAP ENTITLED "BARRE CORNERS PROJECT # 20222407271 SURVEY PLAN", PREPARED BY COSTICH ENGINEERING, D.P.C., HAVING DRAWING NUMBER 8804 VA110, LAST REVISED 04/21/2023, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT BEING THE INTERSECTION OF THE ASSUMED COMMON PROPERTY LINE OF LANDS NOW OR FORMERLY OWNED BY DAVID SCOTT DANIELS, TRUSTEE OF FREDERICK A. DANIELS AND ADRIENNE C. DANIELS IRREVOCABLE TRUST HAVING T.A. # 106.-1-73.1 TO THE WEST AND LANDS NOW OR FORMERLY OWNED BY TOWN HIGHWAY BUILDINGS HAVING T.A. # 106-1-66.1 TO THE EAST WITH THE ASSUMED NORTH RIGHT-OF-WAY LINE OF WEST BARRE ROAD - COUNTY ROAD 99; THENCE

- A. N77°11'16"W, ALONG A TIE LINE A DISTANCE OF 933.41 FEET TO THE POINT AND PLACE OF BEGINNING; THENCE
 - 1. S90°00'00"W, A DISTANCE OF 100.00 FEET TO A POINT; THENCE
 - 2. N00°00'00"E, A DISTANCE OF 100.00 FEET TO A POINT; THENCE
 - 3. N90°00'00"E, A DISTANCE OF 100.00 FEET TO A POINT; THENCE
 - 4. S00°00'00"E, A DISTANCE OF 100.00 FEET TO THE POINT AND PLACE OF BEGINNING. CONTAINING 0.230 ACRES OF LAND, MORE OR LESS

SURVEY REFERENCES

 TOPOGRAPHY SHOWN FROM A FIELD SURVEY BY COSTICH ENGINEERING ON 4/3/2023 HORIZONTAL AND VERTICAL DATA OBTAINED THROUGH NYSDOT CORS NETWORK REFERENCED TO THE FOLLOWING MONUMENT

LOCKPORT CORS STATION
-LATITUDE: 43-09-54.85468 (N)
-LONGITUDE: 078-45-13.35690 (W)
-ELLIP HEIGHT: 166.286 METERS
NAVD 88 (CORS)

- 2. BOUNDARY LINES ARE SHOWN PER REFERENCE NO. 1.
- MAP ENTITLED "INSTRUMENT SURVEY 14295 WEST BARRE ROAD" PREPARED BY OWEN & LISOWSKI, DATED JULY 12 1989.
- PER THE NYSDEC FRESHWATER WETLANDS MAP, THERE IS A NYSDEC CLASS C STREAM 550'± NORTH OF THE PROJECT AREA.
- PER A WETLANDS DELINEATION COMPLETED BY EARTH DIMENSIONS INC. COMPLETED ON 03/30/2023, THERE ARE FEDERAL WETLANDS WITHIN THE PROJECT AREA. SEE DELINEATION REPORT PREPARED BY EARTH DIMENSIONS INC. DATED 03/30/3023.
- PER THE ERSI/FEMA PROJECT IMPACT HAZARD INFORMATION AND AWARENESS SITE MAP THERE IS A NO 100 YR. FLOOD PLAIN IN THE PROJECT AREA.
- PER A 1A CERTIFICATION LETTER PREPARED BY COSTICH FNGINEERING D.P.C. DATED 04/19/2023.

verizon /

1275 JOHN STREET, SUITE #100 WEST HENRIETTA, NEW YORK 14586



ENGINEERING

ENGINEERING

LAND

SURVEYING

LANDSCAPE

ARCHITECTURE

217 LAKE AVENUE OCHESTER, NY 14608 (585) 458 3020



PROJECT MANAGER D.A.W.

DRAWN BY

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TIS A VIOLATION OF LAW FOR ANY PERSON,
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LICENSED PROFESSIONAL ENGINEER, LAND
SURVEYOR, ARCHITECT OR LANDSCAPE
ARCHITECT, TO ALTER ANY LICENSEE WHO
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TO AFFER HIS DOCUMENT IS REQUIRED BY LAW
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ALTERATION. TO THE DOCUMENT

BARRE CORNERS PROJECT ID: 16989597 MDG LOCATION ID: 5000919476

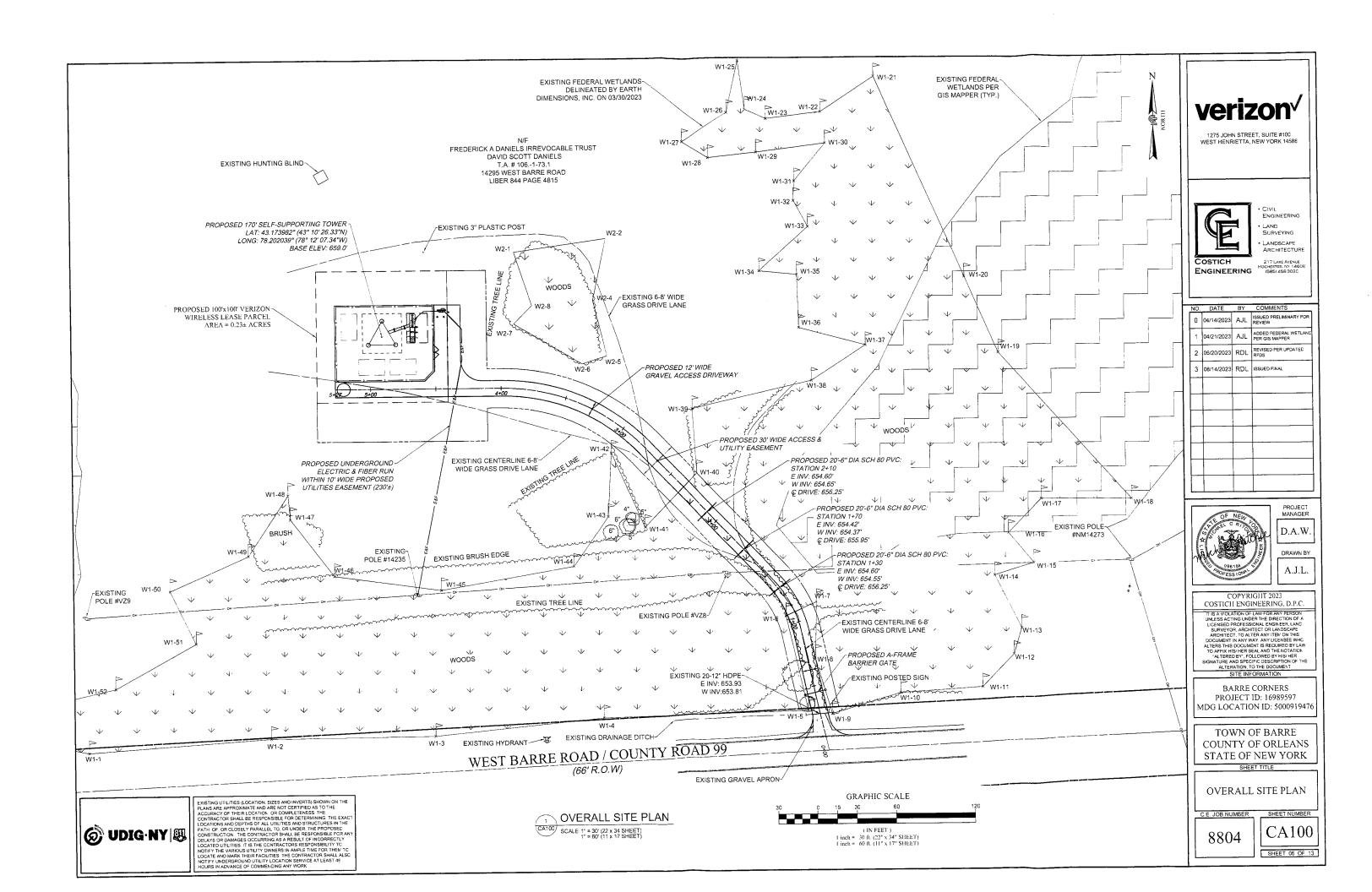
TOWN OF BARRE
COUNTY OF ORLEANS
STATE OF NEW YORK
SHEET TITLE

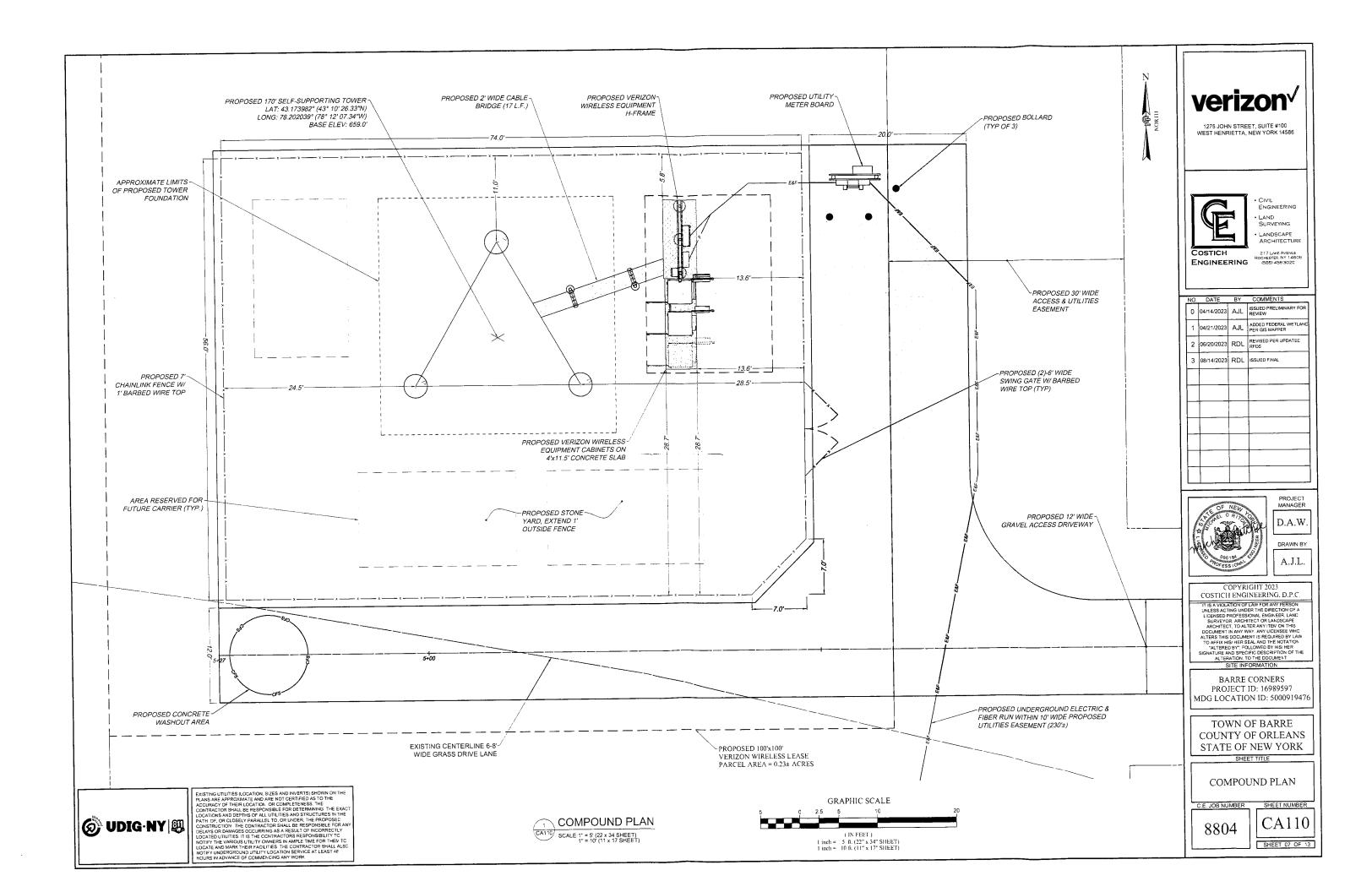
SURVEY NOTES & DESCRIPTIONS

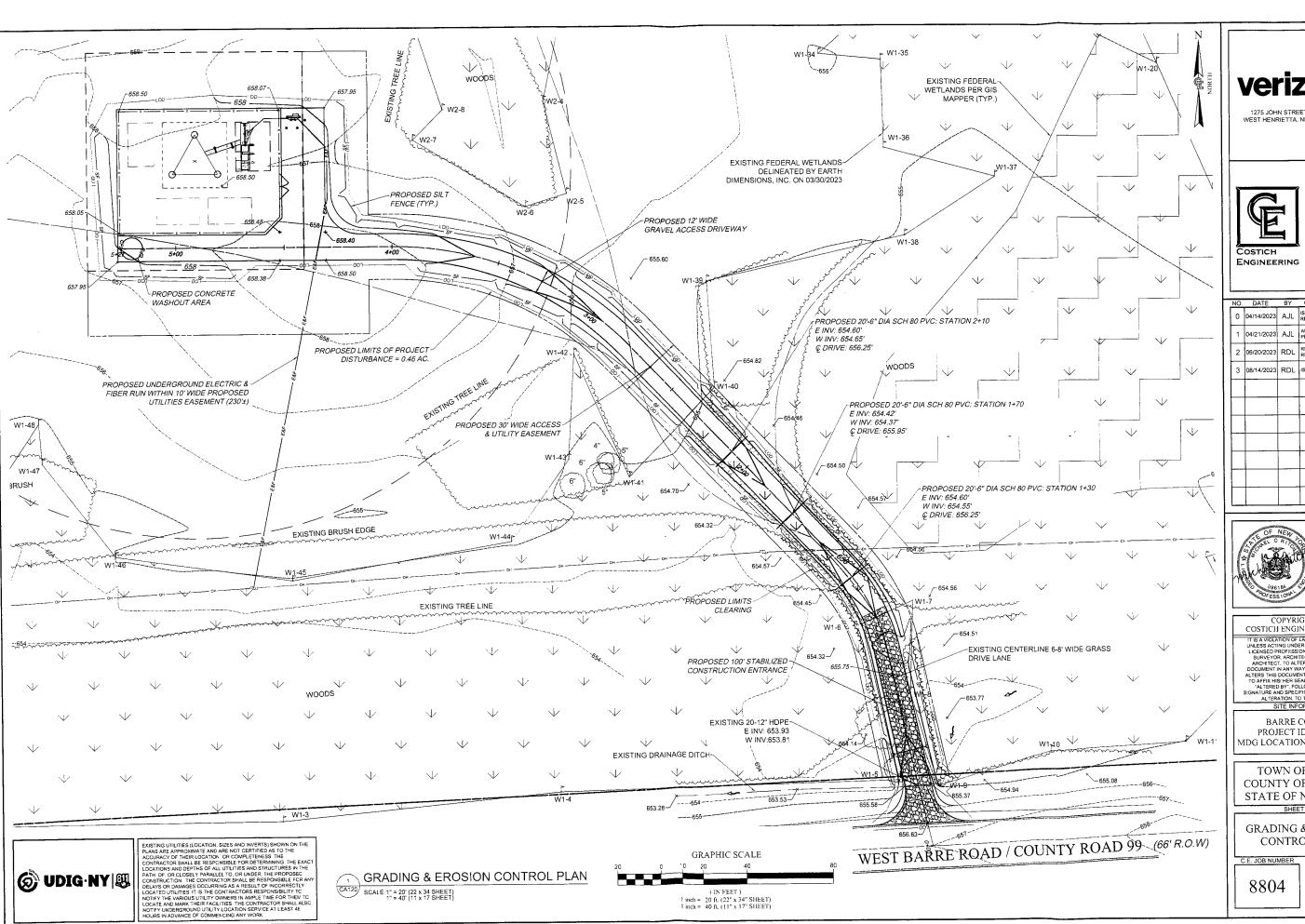
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VA120

SHEET 05 OF 13









1275 JOHN STREET, SUITE #100 WEST HENRIETTA, NEW YORK 14586



ENGINEERING SURVEYING LANDSCAPE

NO. DATE BY COMMENTS 0 04/14/2023 AJL ISSUED PRELIMINARY FO 04/21/2023 AJL ADDED FEDERAL WETLA 2 06/20/2023 RDL REVISED PER UPDATED 3 08/14/2023 RDL ISSUED FINAL



PROJECT MANAGER D.A.W.

DRAWN BY

A.J.L.

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BARRE CORNERS PROJECT ID: 16989597 MDG LOCATION ID: 5000919476

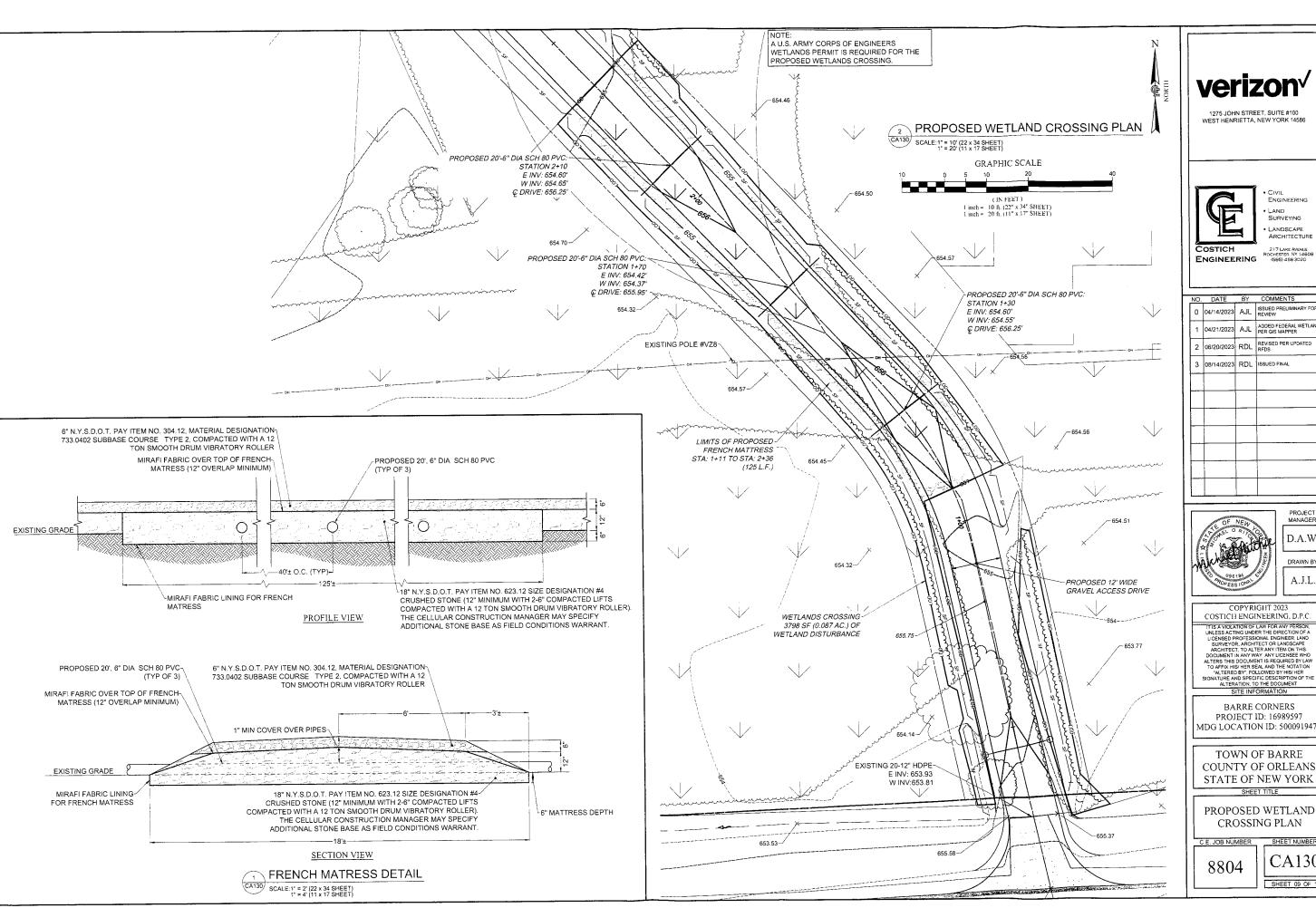
TOWN OF BARRE COUNTY OF ORLEANS STATE OF NEW YORK

GRADING & EROSION CONTROL PLAN

C.E. JOB NUMBER

SHEET NUMBER CA120

SHEET 08 OF 13





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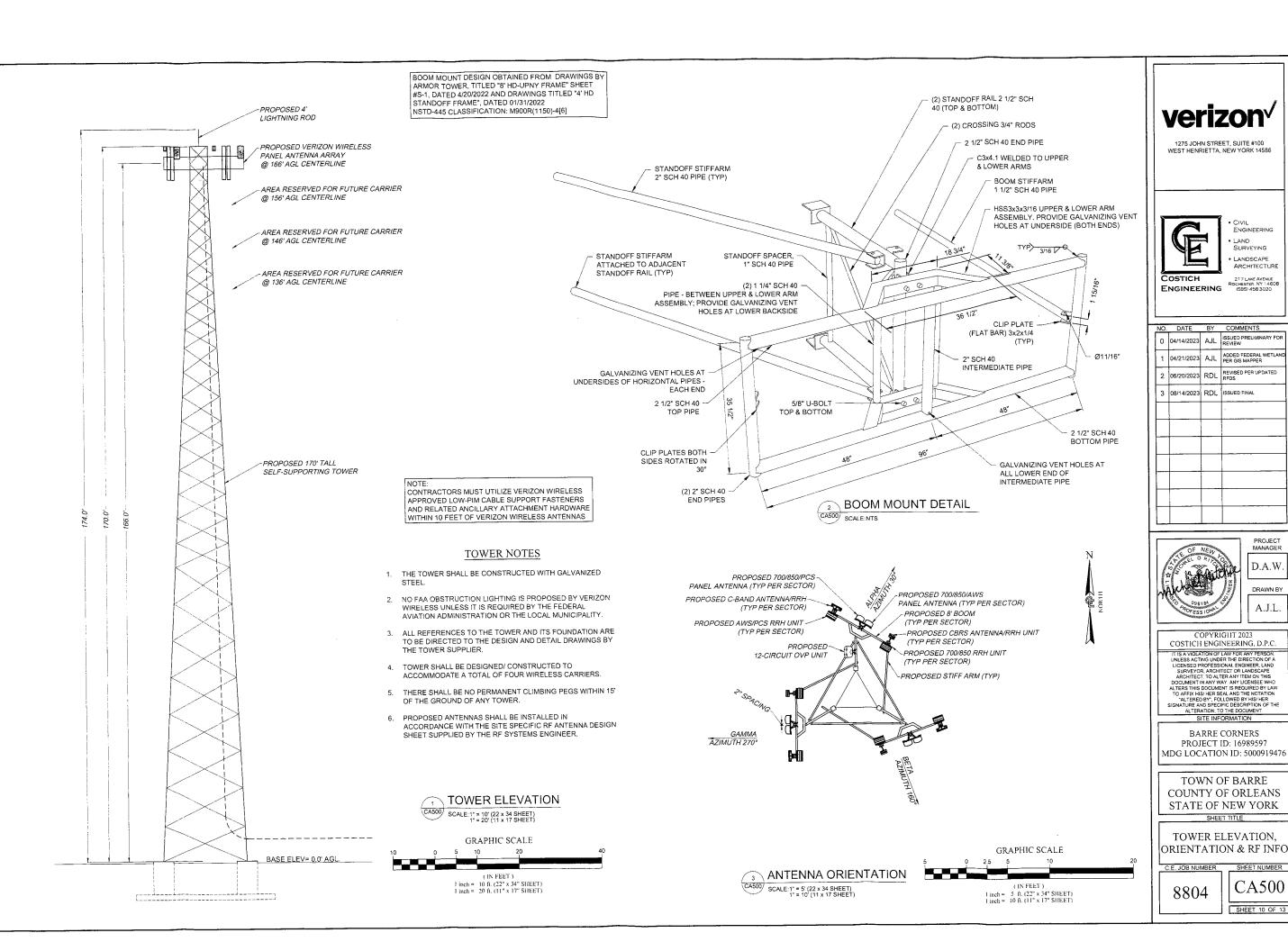
TOWN OF BARRE COUNTY OF ORLEANS

PROPOSED WETLAND CROSSING PLAN

C.E. JOB NUMBER

SHEET NUMBER CA130

SHEET 09 OF 13



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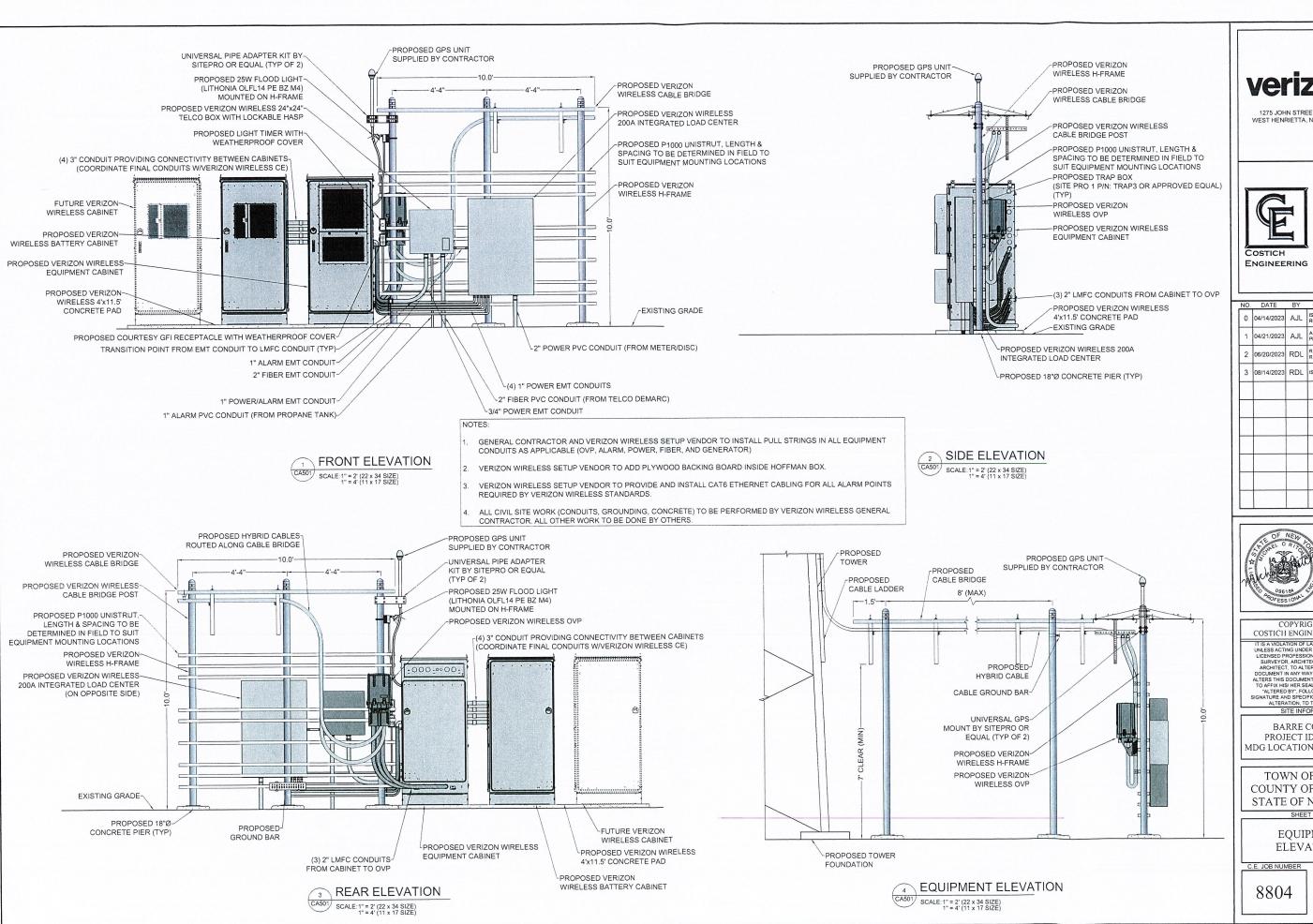
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SHEET NUMBER

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SHEET 10 OF 13





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LANDSCAPE

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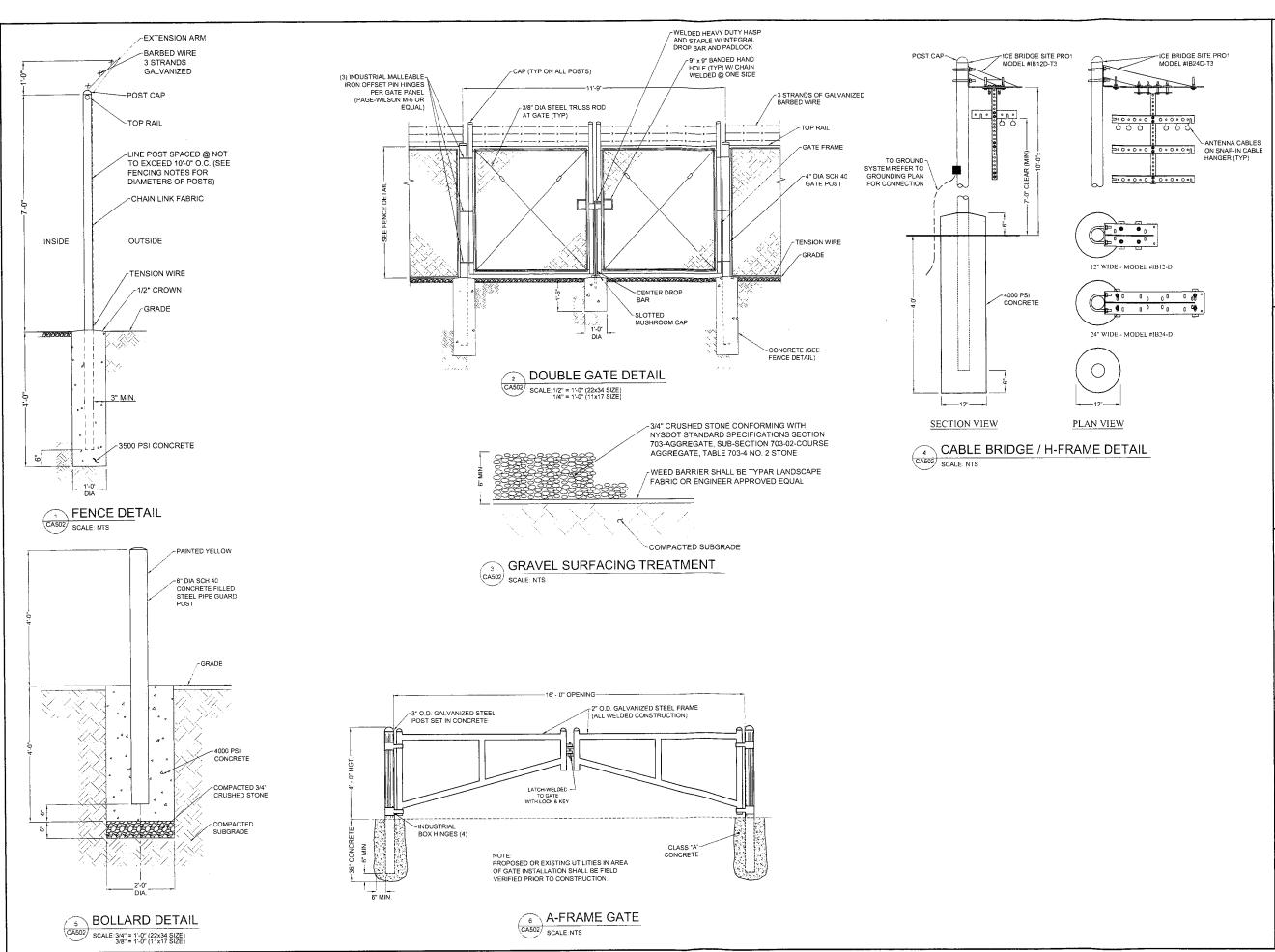
BARRE CORNERS PROJECT ID: 16989597 MDG LOCATION ID: 5000919476

TOWN OF BARRE COUNTY OF ORLEANS STATE OF NEW YORK

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SHEET NUMBER

CA501 8804





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PROJECT MANAGER

D.A.W.

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BARRE CORNERS

PROJECT ID: 16989597 MDG LOCATION ID: 5000919476

TOWN OF BARRE COUNTY OF ORLEANS STATE OF NEW YORK

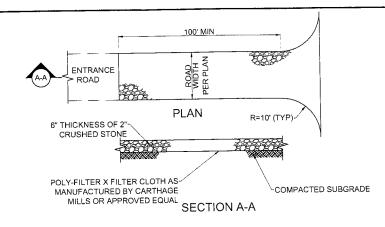
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C.E. JOB NUMBER 8804

CA502

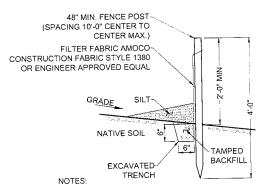
SHEET 12 OF 13



NOTES

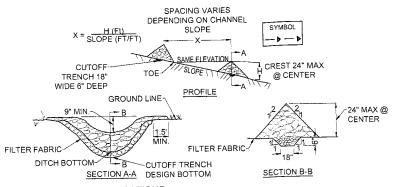
- STONE SIZE USE 2" STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT
- LENGTH NOT LESS THAN 100 FEET
- THICKNESS NOT LESS THAN SIX INCHES
- WIDTH 12 FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS.
- FILTER CLOTH WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
- SURFACE WATER ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
- MAINTENANCE THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH SHALL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED, OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
- WASHING WHEELS SHALL BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO PUBLIC RIGHTS-OF-WAY. IF ACCUMULATED SOIL DOES NOT COME OFF BY WAY OF STABILIZED CONSTRUCTION ENTRANCE, THE CONTRACTOR SHALL KNOCK OFF ACCUMULATED SOIL BY MANUAL METHODS UPSLOPE OF A SILT FENCE BARRIER.
- SEDIMENT TRAPPING SILT FENCE BARRIER SHALL BE INSTALLED DOWN SLOPE OF CONSTRUCTION ENTRANCE TO CATCH ANY SEDIMENT THAT COULD POTENTIALLY FALL OFF OF CONSTRUCTION EQUIPMENT AND/OR VEHICLES.
- PERIODIC INSPECTIONS AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.





- SILT FENCE SHALL BE MAINTAINED IN PLACE DURING CONSTRUCTION AND SOIL STABILIZATION PERIOD.
- 2. CONTRACTOR SHALL CONSTRUCT SILT FENCE IN ACCORDANCE WITH MANUFACTURER'S REQUIREMENTS.
- 3. EXCAVATE TRENCH 6" WIDE X 6" DEEP. BURY BOTTOM 12" OF FABRIC AND TAMP IN
- 4. WHEN FENCE IS NO LONGER NEEDED, THE ACCUMULATED SILT, ALL THE POSTS AND FABRIC SHALL BE REMOVED AND TRENCH BACK FILLED WITH TOPSOIL AND SEEDED.





CONSTRUCTION SPECIFICATIONS

- STONE WILL BE PLACED ON A FILTER FABRIC FOUNDATION TO THE LINES, GRADES AND LOCATIONS SHOWN IN THE PLAN.
- SET SPACING OF CHECK DAMS TO ASSUME THAT THE ELEVATIONS OF THE CREST OF THE DOWNSTREAM DAM IS AT THE SAME ELEVATION OF THE TOE OF THE UPSTREAM DAM.
- EXTEND THE STONE A MINIMUM OF 1.5 FEET BEYOND THE DITCH BANKS TO PREVENT
- PROTECT THE CHANNEL DOWNSTREAM OF THE LOWEST CHECK DAM FROM SCOUR AND FROSION WITH STONE OR LINER AS APPROPRIATE.
- ENSURE THAT CHANNEL APPURTENANCES SUCH AS CULVERT ENTRANCES BELOW CHECK DAMS ARE NOT SUBJECT TO DAMAGE OR BLOCKAGE FROM DISPLACED STONE.
- MAXIMUM DRAINAGE AREA 2 ACRES.

ACCESS DRIVE STONE TO BE ACQUIRED FROM N.Y.S.D.O.T.

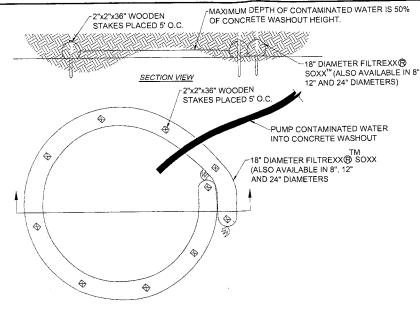
ALL DISTURBED AREAS NOT RECEIVING STONE SHALL RECEIVE 4"
OF TOPSOIL AND BE SEEDED AS DIRECTED BY CELLULAR

SLOPE STABILIZATION TECHNIQUES SUCH AS SURFACE ROUGHENING (SEE NEW YORK GUIDELINES FOR URBAN EROSION AND SEDIMENT CONTROL) SHALL BE UTILIZED ON ALL SLOPES

APPROVED QUARRY

NETWORK REPRESENTATIVE.





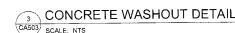
PLAN VIEW

FOR ANY PROJECT ON WHICH CONCRETE WILL BE POURED OR OTHERWISE FORMED ON SITE, A SUITABLE WASHOUT FACILITY MUST BE PROVIDED FOR THE CLEANING OF CHUTES, MIXERS, AND HOPPERS OF THE DELIVERY VEHICLES UNLESS SUCH A FACILITY WILL BE USED AT THE SOURCE OF THE CONCRETE.

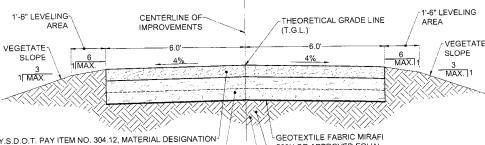
- UNDER NO CIRCUMSTANCES MAY WASH WATER FROM THESE VEHICLES BE ALLOWED TO ENTER ANY SURFACE WATERS.
- CONCRETE WASHOUT SHALL BE UNDERLAYED WITH 4 MIL. THICK PLASTIC BUFFER.
- MAKE SURE THAT PROPER SIGNAGE IS PROVIDED TO DRIVERS SO THAT THEY ARE AWARE OF THE PRESENCE OF WASHOUT FACILITIES.
- WASHOUT FACILITIES SHOULD NOT BE PLACED WITHIN 50 FEET OF STORM DRAINS, OPEN DITCHES OR
- INSTALL ON FLAT GRADE NOT TO EXCEED 2%.
- CONCRETE WASHOUT MAY BE STACKED IN A PYRAMIDAL CONFIGURATION FOR ADDED HEIGHT AND
- STABILITY.

 CONCRETE WASHOUT MAY BE DIRECT SEEDED AT THE TIME OF INSTALLATION.

 THEY SHOULD BE IN A CONVENIENT LOCATION FOR THE TRUCKS, PREFERABLY NEAR THE PLACE WHERE
- THE CONCRETE IS BEING POURED.
- CONCRETE WASHOUT NOT TO BE LESS THAN 6' IN DIAMETER.



CA503 SCALE: NTS



6" N.Y.S.D.O.T. PAY ITEM NO. 304.12, MATERIAL DESIGNATION-733.0402 SUBBASE COURSE TYPE 2, COMPACTED WITH A 12 TON SMOOTH DRUM VIBRATORY ROLLER

12" N.Y.S.D.O.T. PAY ITEM NO. 623.12 SIZE DESIGNATION #4 CRUSHED STONE (12" MINIMUM WITH 2-6" COMPACTED LIFTS COMPACTED WITH A 12 TON SMOOTH DRUM VIBRATORY ROLLER). THE CELLULAR CONSTRUCTION MANAGER MAY SPECIFY ADDITIONAL STONE BASE AS FIELD CONDITIONS WARRANT.

500X OR APPROVED EQUAL

PROOF-ROLL ROADWAY SUBGRADE AREAS USING A 12 TON SMOOTH DRUM VIBRATORY ROLLER. AREAS THAT SHOW PUMPING OR WHICH ARE OTHERWISE UNSATISFACTORY SHALL BE UNDERCUT AND REPLACED WITH COMPACTED FILL, OR STABILIZED IN PLACE.

LSUBGRADE AREAS THAT CANNOT BE STABILIZED OR RESULT IN REMOVAL OF ALL ORGANICS UTILIZING A MAXIMUM OF 1.0' OF UNDERCUT SHOULD BE REPORTED TO THE CONSTRUCTION MANAGER CONSTRUCTION MANAGER SHALL RECOMMEND THE APPROPRIATE BRIDGING TECHNIQUE THAT MAY INCLUDE UTILIZATION OF STONE FILLING, ADDITIONAL FABRIC AND/OR GEOGRID MATERIALS.

EARTH WORK SUBGRADE COMPACTION & SELECT GRANULAR FILL

- 1. CONTRACTOR SHALL BE RESPONSIBLE FOR CLEARING & GRUBBING THE CONSTRUCTION SITE AND ROADWAY AREAS. THE CONTRACTOR SHALL COMPLY WITH THE RECOMMENDATIONS CONTAINED WITHIN THE GEOTECHNICAL REPORT, AS PREPARED FOR THIS SITE, WHEN NECESSARY, FOR SITE WORK PREPARATION, & FOUNDATION WORK. AS A MINIMUM THE TOP 3" OF GRADE SHALL BE REMOVED, THE EXPOSED SUBGRADE COMPACTED AND GEOTEXTILE FABRIC INSTALLED AS REQUIRED FOR UNSTABLE SOIL CONDITION.
- 2. ALL SELECT GRANULAR FILL SHALL BE COMPACTED TO A 95% COMPACTION AT A MAXIMUM DRY DENSITY AS DETERMINED BY MODIFIED PROCTOR TEST (ASTM D-1557) AND WITHIN PLUS OR MINUS 3% OF OPTIMUM MOISTURE CONTENT.
- 3. CONTRACTOR TO ASSURE THAT EXISTING DRAINAGE PATTERNS ARE MAINTAINED.





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D.A.W DRAWN BY

MANAGER

A.J.L.

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TOWN OF BARRE COUNTY OF ORLEANS STATE OF NEW YORK

GRADING AND EROSION CONTROL DETAILS

C.F. JOB NUMBER

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SHEET 13 OF 13