GENESEE COUNTY PLANNING BOARD REFERRALS
NOTICE OF FINAL ACTION

GCDP Referral ID	**T-10-BAT-09-24**
Review Date	**9/12/2024**
Municipality	**BATAVIA, T.**
Board Name	**PLANNING BOARD**
Applicant's Name	**Bell Atlantic Mobile Systems, LLC**
Referral Type	**Special Use Permit & Site Plan Review**
Variance(s)	
Description:	**Special Use Permit and Site Plan Review to construct a 154 ft. high wireless telecommunications facility (i.e. the "Wilkinson and Lear" cell tower) with a 4 ft. lightning rod, nine (9) antennas, and associated equipment/improvements.**
Location	**Wilkinson Rd., Batavia**
Zoning District	**Agricultural-Residential (AG-R) District**

PLANNING BOARD RECOMMENDS:

APPROVAL WITH MODIFICATION(S)

EXPLANATION:

The required modifications are as follows 1) The carrier routes all emergency 911 calls originating in the County to the Emergency Dispatch Center at the Genesee County Sheriff's Office in Batavia in accordance with Genesee County Local Law; and 2) The applicant adhere to the Town of Batavia's zoning provisions that require, "Space on communication towers shall be made available for public safety purposes (i.e., Genesee County Public Safety Radio System) at no cost to public safety agencies. With these required modifications, the proposed telecommunications tower should pose no significant countywide or inter-community impact. It is recommended that the applicant submit the attached application for 9-1-1 Address Verification to the Genesee County Sheriff's Office to ensure that an address is assigned that meets Enhanced 9-1-1 standards.

Felipe A. Ottman

Director

September 12, 2024

Date

If the County Planning Board disapproved the proposal, or recommends modifications, the referring agency shall NOT act contrary to the recommendations except by a vote of a majority plus one of all the members and after the adoption of a resolution setting forth the reasons for such contrary action. Within 30 days after the final action the referring agency shall file a report of final action with the County Planning Board. An action taken form is provided for this purpose and may be obtained from the Genesee County Planning Department.

SEND OR DELIVER TO:
GENESEE COUNTY DEPARTMENT OF PLANNING
3837 West Main Street Road
Batavia, NY 14020-9404
Phone: (585) 815-7901

DEPARTMENT USE ONLY:
GCDP Referral # T-10-BAT-09-24

RECEIVED
Genesee County
Dept. of Planning
8/20/2024

* GENESEE COUNTY * PLANNING BOARD REFERRAL

Required According to:
GENERAL MUNICIPAL LAW ARTICLE 12B, SECTION 239 L, M, N
(Please answer ALL questions as fully as possible)

1. REFERRING BOARD(S) INFORMATION

Board(s) Town of Batavia Planning Board
Address 3833 West Main St Rd
City, State, Zip Batavia,NY,14020
Phone (585) 343 - 1729 Ext.

2. APPLICANT INFORMATION

Name Bell Atlantic Mobile Systems
Address 1275 John St Suite 100
City, State, Zip West Henrietta, NY, 14586
Phone (585) 263 - 1140 Ext. Email jlusk@nixonpeabody.com

MUNICIPALITY: ☐ City ■ Town ☐ Village of Batavia

3. TYPE OF REFERRAL: (Check all applicable items)

- ☐ Area Variance
- ☐ Use Variance
- ■ Special Use Permit
- ■ Site Plan Review
- ☐ Zoning Map Change
- ☐ Zoning Text Amendments
- ☐ Comprehensive Plan/Update
- ☐ Other:

Subdivision Proposal
- ☐ Preliminary
- ☐ Final

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:

A. Full Address Wilkinson Rd
B. Nearest intersecting road Lear Rd
C. Tax Map Parcel Number 16.-1-17.1
D. Total area of the property 15 Acres Area of property to be disturbed .23acres
E. Present zoning district(s) AG-RZ

5. REFERRAL CASE INFORMATION:

A. Has this referral been previously reviewed by the Genesee County Planning Board?

■ NO ☐ YES If yes, give date and action taken

B. Special Use Permit and/or Variances refer to the following section(s) of the present zoning ordinance and/or law

Town of Batavia Zoning Schedule A

C. Please describe the nature of this request Applicant is asking for approval of, site plan review, special use permit for a new cell tower to be built on location listed above.

6. ENCLOSURES – Please enclose copy(s) of all appropriate items in regard to this referral

- ■ Local application
- ■ Site plan
- ☐ Subdivision plot plans
- ■ SEQR forms
- ■ Zoning text/map amendments
- ■ Location map or tax maps
- ☐ Elevation drawings
- ■ Agricultural data statement
- ☐ New or updated comprehensive plan
- ☐ Photos
- ☐ Other:

7. CONTACT INFORMATION of the person representing the community in filling out this form (required information)

Name Troy Williams Title CEO Phone (585) 343 - 1729 Ext. 208
Address, City, State, Zip 3833 West Main St Rd, Batavia,NY,14020 Email twilliams2townofbatavia.com

NIXON PEABODY

Nixon Peabody LLP
1300 Clinton Square
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Jared C. Lusk
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jlusk@nixonpeabody.com

May 15, 2024

VIA FEDERAL EXPRESS

Town of Batavia Planning Board
c/o Town Clerk
3833 West Main Street Road
Batavia, New York 14020

RE: Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless' application for the necessary approvals to construct and operate a 154' wireless telecommunications facility (plus 4' lightning rod) north of 9321 Wilkinson Road (Tax Map #16.-1-17.1) in the Town of Batavia, Genesee County, New York (Verizon Wireless' "Wilkinson and Lear" site)

Dear Members of the Planning Board:

By application dated April 22, 2024, Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless ("**Verizon Wireless**") submitted the above-referenced application (the "**Application**") to the Planning Board of the Town of Sullivan (the "**Town**") for the above referenced Project.

Thereafter, by correspondence dated May 8, 2024 we received comments from the Town Engineer, Steven J. Mountain, P.E. (the "**Engineering Comments**"). Below are the Engineering Comments in bold italicized type, followed by Verizon Wireless' responses in regular text.

General Comments

1. ***The Planning board should require the developer to provide a Tower maintenance and removal bond for this project.***

   Verizon Wireless has no objection to providing a maintenance/removal bond with the Building Permit application in an amount to be determined by the Planning Board.

2. ***The project will require a Genesee County driveway permit. The developer will need to provide a copy of the approved permit to the Town.***

   The Project Engineering is currently working on the required driveway permit. The permit will be provided with the Building Permit application.

Code Review Comments

1. ***The developer will need to provide a table showing the proposed site meets the building setback and other code criteria.***

   The required tables have been added to Sheet VA100 of the revised project plans (the "**Revised Plans**") enclosed as Exhibit R (lettered to follow Exhibits A-Q previously submitted with the Application).

2. ***This Project will require a special use permit.***

   No response necessary.

3. ***The proposed cell tower exceeds the max. building height of 40 ft. verses the 154 ft. tower height and will require approval from the zoning board of appeals.***

   § 235-13(J)(2) of the Town Code expressly exempts towers from the Town's 40' height limitation so long as the tower poses no threats to aircraft operation. Attached as Exhibit S is proof of notice to the FAA and the FAA's determination that the Project will not require review by the FAA (meaning the Project will not be a threat to aircraft operation). As such, the Project fully complies with the Town Code.

SEQRA Comments

1. ***The Part 1 SEQRA Long Form is acceptable. This should be considered an unlisted action. The planning board will need to complete SEQRA Parts 2 and 3.***

   No response necessary.

Storm Water Pollution Prevention

1. ***A Storm Water Pollution Prevention Plan will not be required for this project since it has less than 1 acre of disturbance.***

   No response necessary.

Detailed Site Plan Review Comments

1. ***We have attached the site plan review checklist indicating the additional notes and details that should be included on future plan submissions.***

   See Verizon Wireless' updates to the checklist at Exhibit T.

2. ***Provide the standard Town of Batavia signature block on all drawings. See our standard detail on our web site.***

The required signature block has been added to all drawings in Exhibit R.

Please have the developer submit revised plans and written responses to these comments for our review. If you have any questions or comments on any of this information, please contact myself at (585) 356-1729 x 220.

See revised plans and responses to the comments above.

If you have any questions or need any further information, please do not hesitate to contact me.

Very truly yours,

Jared C. Lusk

JCL/mkv
Enclosures

cc: Doug Morrison

NIXON PEABODY

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April 22, 2024

VIA FEDERAL EXPRESS

Town of Batavia Planning Board
c/o Town Clerk
3833 West Main Street Road
Batavia, New York 14020

RE: Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless' application for the necessary approvals to construct and operate a 154′ wireless telecommunications facility (plus 4′ lightning rod) north of 9321 Wilkinson Road (Tax Map #16.-1-17.1) in the Town of Batavia, Genesee County, New York (Verizon Wireless' "Wilkinson and Lear" site)

Dear Members of the Planning Board:

Verizon Wireless is a public utility licensed and regulated by the Federal Communications Commission, and is responsible for providing wireless telecommunications services to emergency services, businesses and individuals throughout the United States, including the area in and around the Town of Batavia. In order to provide adequate wireless telecommunications service to the southwestern portion of the Town of Batavia known as the "Wilkinson and Lear" cell, this application seeks approval to construct and operate a wireless telecommunications facility on property located north of 9321 Wilkinson Road (the "**Site**").

The Site consists of approximately .23 acre of land 100′ x 100′ lease area to be leased from Douglas Ferguson. The facility will consist of a 154′ high tower (plus 4′ lightning rod) (the "**Tower**"), nine (9) antennas, Verizon Wireless equipment installed in cabinets at the base of the tower, together with other site improvements, all as shown on the enclosed site plan prepared by Costich Engineering, D.P.C.

The proposed facility is permitted upon a grant of a special use permit and site plan approval from the Planning Board (See Town of Batavia Zoning Ordinance (the "**Code**") §§235-25(B)(28), 235-52(B)).

Accordingly, please accept this letter and the following exhibits and enclosures as Verizon Wireless' application for a special use permit and site plan approval from the Planning Board:

Exhibit A: Town supplied application forms;

Exhibit B: Project description;

Exhibit C: Compliance with applicable legal standards

Exhibit D: Compliance with the Town's special use permit standards (§235-63(D)(8));

Exhibit E: Compliance with Town's site plan review standards (§235-63(C)(3));

Exhibit F: Radio Frequency ("RF") report;

Exhibit G: Site selection analysis;

Exhibit H: Proof of compliance with applicable federal regulations;

Exhibit I: Photosimulations;

Exhibit J: Copy of Verizon Wireless' FCC licenses;

Exhibit K: Verizon Wireless' co-location policy;

Exhibit L: Proof of the Landowner's consent to the Application;

Exhibit M: Full Environmental Assessment Form ("EAF");

Exhibit N: Ag Data Statement;

Exhibit O: Site plans;

Exhibit P: Structural capacity analysis; and

Exhibit Q: Removal cost estimate.

- Three (3) copies of the site plan prepared by Costich Engineering, D.P.C.;
- Three (3) copies of this Application book; and
- Application fees in the amount of $300 ($100 special use permit; $200 site plan review).

Because the Site is within 500 feet of: (1) Wilkinson Road (County Route 5) and (2) farm operations in an Agricultural District, as defined under Article 25-AA of the New York State Agriculture and Markets Law the Town must refer this application to the Genesee County Planning Department pursuant to New York General Municipal Law § 239-m. An extra set of materials has been supplied for this purpose.

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 N 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 that 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.

Verizon Wireless asks that this application be placed on the Planning Board's first available agenda following County Planning review.

Please do not hesitate to contact me if the Planning Board requires any additional information prior to the hearing.

Sincerely,

Jared C. Lusk

JCL/mkv
Enclosures

cc: Doug Morrison

EXHIBIT A

Building and Zoning Application Permit No._____

Town of Batavia 3833 West Main Rd. Batavia NY 14020 PH. 585-343-1729

Date 4 / 22 / 24 Zone A-R Flood Zone____ Wellhead Protection ____ Corner Lot____

New Construction ☑ Fence ☐ Pond ☐ Sign ☐ Alteration(s) ☐ Addition ☐ Demolition ☐

Accessory Bldg. ☐ Mobile Home ☐ Fill Permit ☐ Home Occupation ☐ Land Separation ☐ Site Plan Approval ☑

Special Use Permit ☑ Temporary Use ☐ Subdivision ☐ Zoning Variance Request ☐ Other ☑ Specify: Wireless telecommunications facility

Tax Map No. 16.-1-17.1

Owners Name Douglas Ferguson Phone No. (___) _____

Address 9321 Wilkinson Road, Batavia, NY 14020 Project Road Width _____ft

Applicants Name Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless Project Address North of 9321 Wilkinson Road

E Mail Address jlusk@nixonpeabody.com Phone No (585) 263-1140

Description of Project: Construction and operation of a 154' wireless telecommunications facility (plus 4' lightning rod) and associated improvements.

Existing Use vacant land Proposed Use wireless telecommunications facility

Estimated Cost Building TBD Plumbing N/A Mechanical N/A Miscellaneous TBD

SEQR CLASSIFICATION Type 1 ☐ Type 2 ☐ Unlisted ☐

Review completed by Planning Board ☐_____ Zoning Board of Appeals ☐_____

Permit Fee $_____ Application Date ___/___/___ Permit Expires On ___/___/___

Issuing Officer _____ **Date**___/___/___

IN SIGNING THIS DOCUMENT I HEARBY GIVE THE RIGHT OF AN ON SITE INSPECTION TO THE TOWN OF BATAVIA CODE ENFORCEMENT OFFICIAL OR THEIR DESIGNE. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PREFORMANCE OF CONSTRUCTION.

I, Jared C. Lusk, Esq., as attorney for Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless, as Owner or Authorized Agent hereby declare that the statements and information on the foregoing application are true and accurate, to the best of my knowledge.

_____ 04/22/24

Signature of Owner or Authorized Agent Date

4893-2452-7799.1

EXHIBIT B

EXHIBIT B

PROJECT DESCRIPTION

Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless ("**Verizon Wireless**"), a federally licensed wireless telecommunications provider, currently has service inadequacies in and around the southwestern portion of the Town of Batavia (the "**Town**"). The only way to remedy this is to locate a 154′ wireless telecommunications facility (plus 4′ lightning rod) in a technologically appropriate site. The proposed site is located north of 9321 Wilkinson Road in the Town of Batavia (the "**Site**"). This application includes, on behalf of Verizon Wireless, a request for a special use permit and site plan approval from the Planning Board to construct and operate a wireless telecommunications facility at the Site (the "**Project**") in order to provide adequate and reliable wireless telecommunications service to emergency services, businesses and individuals in and around the southern area of the Town, all as shown on the enclosed site plan prepared by Costich Engineering, D.P.C.

Wireless telecommunications use has burgeoned since the technology was introduced in the mid-1980s. Wireless telecommunications technology provides a critical link for emergency services, such as ambulances, which use such service to transmit vital signs and medical information via medical telemetry. Increasingly, police forces are relying on wireless telecommunication devices to communicate with dispatch and receive calls for assistance. Additionally, many businesses heavily rely on wireless telecommunications service, and individuals use it not only for their convenience, but for safety reasons as well.

Essentially, wireless telecommunications devices operate by transmitting a very low power radio signal between the wireless telecommunication device and an antenna mounted on a tower, pole, building or other structure. The antenna feeds the signal to electronic apparatus housed in a small equipment shelter located near the antenna (the "**Base Station**"), where it is connected to an ordinary telephone line, 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 telecommunications 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; or in the case of a capacity cell, to strategically overlay only where necessary to relieve the capacity problem, there is limited flexibility as to where a cell site can be placed. Wireless telecommunication providers conduct a thorough engineering study, 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.

As set forth in this application, the Applicant meets the legal standards for receiving the necessary approvals for the Project. 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 telecommunications service to business, industry and individuals.

Exhibit C

EXHIBIT C

APPLICABLE LEGAL STANDARDS

In Cellular Tel. Co. v. Rosenberg, 82 N.Y.2d 364 (1993), the New York Court of Appeals determined that cellular telephone companies are public utilities. The Court held that proposed cellular 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.' There can be no question of Cell One's need to erect the cell site to eliminate service gaps in its cellular telephone service area. The proposed cell site will also improve the transmission and reception of existing service. Application of our holding in Matter of Consolidated Edison to sitings of cellular telephone companies, such as Cellular 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.

Anderson, New York Zoning Law Practice, 3d ed., p. 411 (1984) (hereafter "Anderson"). See also, Cellular 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 does not have reliable wireless telecommunications service or adequate capacity in the southwestern portion of the Town of Batavia. The Project is needed to remedy this service problem and to provide adequate and reliable 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

EXHIBIT D

COMPLIANCE WITH THE TOWN'S SPECIAL USE PERMIT REQUIREMENTS

As set forth in Exhibit C, the Project complies with the applicable legal standards for public utilities. Additionally, the Project complies with the standards for the requirements of a special use permit as set forth in § 235-63(D)(8) of the Town of Batavia Code. The relevant portions of the Code are outlined below in bold-italicized type followed by Verizon Wireless' response in regular type.

Town Code Section 235-63(D)(8):

(8) Standards applicable for all special use permits.

(a) The Planning Board may issue a special use permit only after it has found that all the following standards and conditions have been satisfied, in addition to any other applicable standards and conditions contained elsewhere in this chapter:

[1] The location and size of such use and intensity of the operations involved in or conducted therewith, its site layout and its relation to access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous and shall be in harmony with the orderly development of the district.

Response: Pedestrian and vehicular traffic to and from the site will not be hazardous, and will be in harmony with the orderly development of the AR zoning district. No pedestrian traffic is proposed. Post-construction, the site will experience approximately one vehicle per month for routine maintenance on average. There will be limited traffic to the site.

[2] The location, nature and height of buildings, walls and fences will not discourage the appropriate development and use of adjacent land and buildings nor impair their value.

Response: The Project will be located in a rural area, with this and a hedgerow blocking the base of the tower from adjacent properties and will not discourage the appropriate development and use of adjacent lands or impair their value.

[3] The operation of any such use shall not be more objectionable to nearby properties than would be the operation of any permitted use.

Response: Other uses permitted under the Code could be considered to be more intense uses than this inert wireless telecommunications facility and,

as such, the Project will not be more objectionable to nearby properties than would be the operation of any other permitted use.

[4] ***The proposed use shall not cause undue noise, vibration, odor, lighting glare, and unsightliness so as to detrimentally impact on adjacent properties.***

Response: The Project will not create noise, vibration, lighting glare, odor, vibrations, or other undesirable effects. This is an inert facility and, other than having the positive effect of providing a modern, reliable system of wireless communications to the intended coverage area, it has no effect on adjacent properties.

[5] ***When a commercial or industrial special use abuts a residential property, the Planning Board may find it necessary to require screening of sufficient height and density (i.e., fences, hedges, etc.) to reduce or eliminate the conflicting environmental conditions previously mentioned.***

Response: Significant trees and a hedgerow exist to block views of the base of the tower from adjacent properties.

[6] ***Electrical disturbances shall not be caused so as to disrupt radio or television communications in the immediate area.***

Response: The proposed facility complies with all FCC power level regulations and will not interfere with other communications. (See Exhibit H to this application.)

[7] ***The proposed use shall meet the off-street parking and loading requirements of similar uses.***

Response: The Project so complies. Off-street parking requirements are minimal.

[8] ***Appropriate on-lot drainage shall be provided so as to eliminate any potential on-site water related problems. Also, the drainage systems created shall not detrimentally impact on adjacent properties.***

Response: The Project so complies. See the enclosed Site Plan.

[9] ***Traffic access to and from the use site, as well as on-lot traffic circulation, shall be designed so as to reduce traffic hazards. The Planning Board shall review and approve all such proposals.***

Response: The Project so complies. As mentioned above, post-construction traffic is limited to approximately one vehicle trip per month for routine maintenance.

[10] Such use shall be attractively landscaped. This shall involve grading, seeding, and regular mowing of the front yard area at a minimum.

Response: The Project so complies; see the enclosed Site Plan.

(b) A special use permit shall not be issued for a use on a lot where there is an existing violation of this chapter unrelated to the use which is the subject of the requested special use permit, as determined by the Planning Board.

Response: Applicant is not aware of any existing Code violations.

(c) As a condition of all special use permits, right of entry for inspection with reasonable notice shall be provided to determine compliance with the conditions of said permit.

Response: No response necessary.

(d) In addition to the general standards for special permits as set forth herein, the Planning Board may, as a condition of approval for any such use, establish any other additional standards, conditions, and requirements it deems necessary or appropriate to promote the public health, safety and welfare and to otherwise implement the intent of this chapter.

Response: No response necessary.

(e) The above standards are not intended to apply to uses whose regulation has been preempted by the state or federal government, i.e., mining.

Response: As noted in Exhibit C, together with other federal and state laws, rules and regulations such as 1996 Federal Telecommunications Act, local control over the permitting and operation of this facility has certain restrictions. The Project meets the federal and state laws, rules and regulations necessary for permitting and operation.

EXHIBIT E

EXHIBIT E

COMPLIANCE WITH THE TOWN'S SITE PLAN REQUIREMENTS

As discussed in Exhibit C, the legal standard applicable to Verizon Wireless is the standard afforded to public utilities, rather than the standard to be generally applied. As demonstrated below, the Project also complies with the Town's site plan requirements as set forth in § 235-63(C)(3) et seq. of the Town of Batavia Code (the Town's site plan approval requirements are outlined below in bold italicized type with Verizon Wireless' response in regular type).

Town Code Section 235-63(C)(3):

(3) Site plan review criteria. The Town Planning Board shall review the site plan and supporting data before approval, approval with modifications, or disapproval of such site plan, taking into consideration the following:

(a) Harmonious relationship between proposed uses and existing adjacent uses.

Response: The Project is located in an open field, surrounded by trees, a hedgerow and farm, and is a less intense use than uses that are permitted as of right. As such, it is in harmonious relationship with the existing adjacent uses.

(b) Maximum safety of vehicular circulation between the site and street, including emergency vehicle access.

Response: Post-construction traffic to the site will be approximately one vehicle per month for routine maintenance. There is sufficient vehicular circulation between the site and the street, including for emergency vehicle access (see the enclosed Site Plan).

(c) Adequacy of interior circulation, parking and loading facilities, with particular attention to pedestrian safety and emergency vehicle access.

Response: Again, vehicular traffic is extremely minimal, with approximately one vehicle visit per month on average for routine maintenance. Interior circulation, parking and emergency vehicle access are all sufficient (see the enclosed Site Plan).

(d) Adequacy of landscaping and setbacks to achieve compatibility with, and protection of, adjacent residential uses.

Response: The existing and proposed landscaping and setbacks are appropriate in this area, and the Project poses no significant adverse effect on any residential uses.

(e) Adequacy of municipal facilities to serve the proposal, including streets, water supply and wastewater treatment systems, stormwater control systems, and fire protection.

Response: This property does not require water service or sewers. Stormwater and drainage is properly designed as required by law.

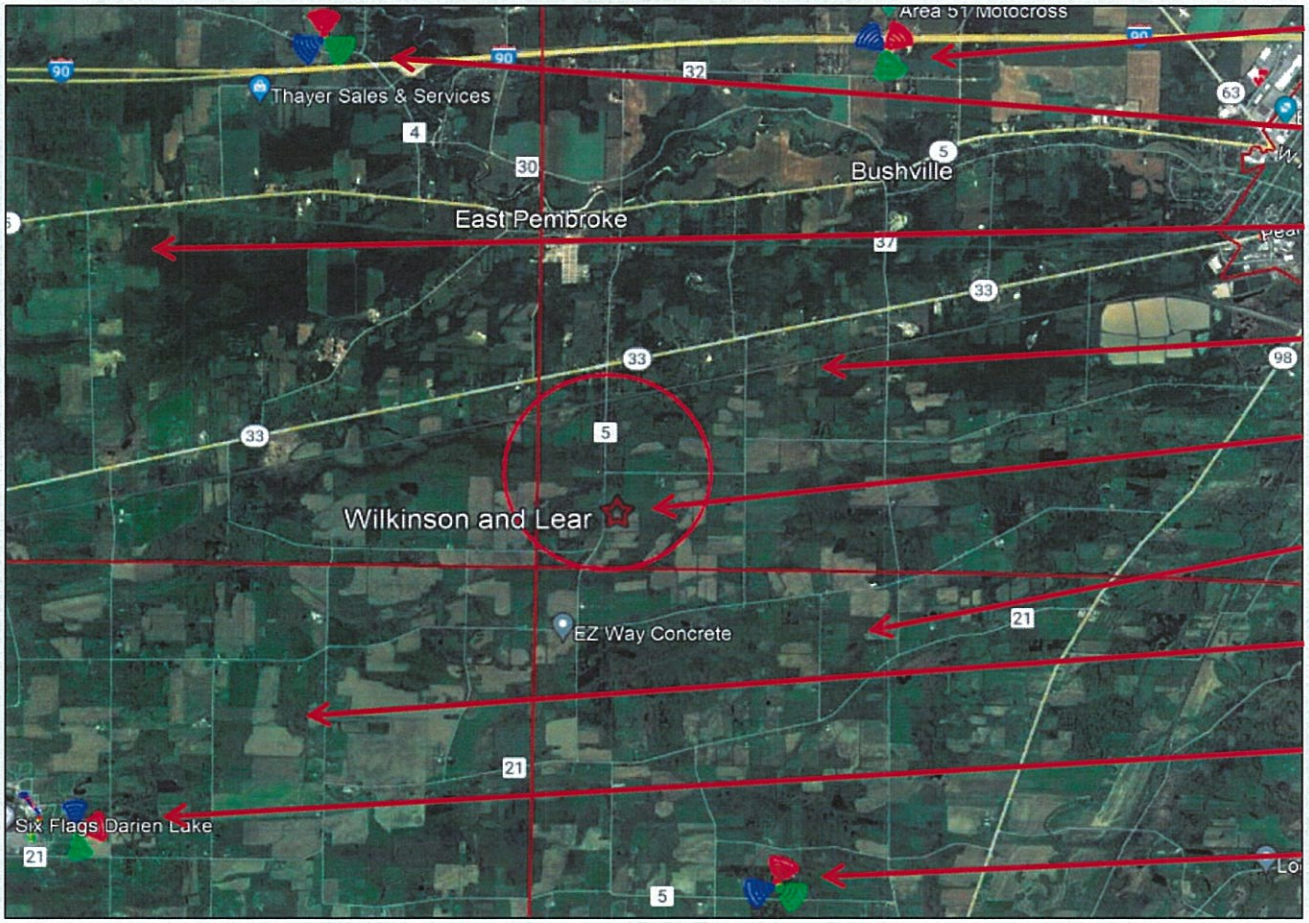
(f) Protection of the aquifer and aquifer recharge areas that provide drinking water for both private and municipal wells. In evaluating the protection of the aquifer, aquifer recharge areas and water supplies, the Planning Board shall give consideration to the simplicity, reliability, and feasibility of the control measures proposed and the degree of threat to water quality that would result if the control measures failed.

Response: Not applicable. See response to question (e) above.

EXHIBIT F

Verizon Wireless Communications Facility

Engineering Necessity Case – "Wilkinson and Lear"



Existing Batavia West Site

Existing Cookville Site

Town of Pembroke

Town of Batavia

Project Location (**Wilkinson and Lear**)

Town of Alexander

Town of Darien

Existing Darien Lake Site

Existing Alexander Site

Prepared by: Phillip A. Colantonio, RF Engineer III, Verizon Wireless

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

verizon

March 5th, 2023

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.

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 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 emergency situation can literally mean life or death.

**Note that, while Verizon Wireless provides sufficient evidence to establish the existence of a coverage gap and capacity need in this case, the FCC has confirmed that federal law does not require a provider to establish the existence of a coverage/capacity gap to establish the need for a site. There are several ways by which an applicant can establish site need. See Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment," FCC 18-133, 85 FR 51867, at ¶ 37 (October 15, 2018) (confirming that the test for establishing an effective prohibition is whether "a state or local legal requirement materially inhibits a provider's ability to engage in any of a variety of activities related to its provision of a covered service," and this test is met "not only when filling a coverage gap but also when densifying a wireless network, introducing new services or otherwise improving service capabilities") (emphasis added).*

Project Need Overview

The project area, located in the southwestern portion of the Town of **Batavia** 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.

The first serving site is **Cookville,** located in the Town of Pembroke, is approximately four and one quarter miles northwest (of the project location) situated on an existing tower located off Indian Falls 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.

The second serving site is **Batavia West,** located in the Town of Batavia, is approximately four miles northeast (of the project location) on an existing tower off Pratt 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.

The third serving site is **Alexander,** located in the Town of Alexander, is approximately three miles south (of the project location) situated on an existing tower off Stannard 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.

Available (mid band AWS) carriers at these and other area sites are not capable of effectively serving/offloading the project area due to inherent 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 coverage in the area in question that could allow for increased capacity and improved coverage from other sources.

The primary objectives for this project are to increase capacity and provide and or improve coverage throughout the southwestern portion of the Town of Batavia, northwestern portion of Alexander and the northeastern portion of Darien, southeastern portion of Pembroke, more specifically portions of Rt. 33, Rt. 5, Wilkinson Rd, Lear Rd, Upton Rd, Rose Rd, Wortendyke Rd, Hopkins Rd, Pike Rd, Beaver Rd, Dodgeson Rd, Seward Rd, Hickox Rd, Halstead Rd, Ridge Rd, Richley Rd, Brown Rd, Angling Rd, Read Rd as well as neighboring residential and commercial areas along and near these roads. In order to offload capacity from Cookville, Batavia West and Alexander, a new dominant server must be created. This new dominant coverage will effectively offload the existing overloaded sites/cells as well as provide improved coverage where significant gaps exist today.

Following the search for co-locatable structures to resolve the aforementioned challenges and finding none available, Verizon proposes to attach the necessary antenna(s) to a new 154' tower located at 9321 Wilkinson Rd. Batavia, NY 14020. Verizon's antennas will utilize 150' for the ACL (Antenna Center Line) with a top of antenna height of 154'. This solution is the minimum height necessary to provide the coverage and capacity improvements needed.

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Wireless LTE (Voice and Data) Growth

- Wireless smart city solutions are being used to track available parking and minimize pollution and wasted time.
- These same solutions are being used to track pedestrian and bike traffic to help planning and 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.
- 4G technology is also used to monitor building power usage down to the circuit level remotely, preventing energy waste and supporting predictive maintenance on machines and equipment.
- Wireless sensors placed in shipments are being used to track temperature-sensitive medications, equipment, and food. This is important for preventing the spread of food-borne diseases that kill 3,000 Americans each year.

Source: Verizon Innovation Center, February. 2018

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

- **20,000 learning apps are available for iPads. 72% of iTunes top selling educational apps are designed for preschoolers and elementary students.**
- **600+ school districts replaced text books with tablets in classrooms.**
- **77% of parents think tablets are beneficial to kids.**
- **74% of school administrators feel digital content increases student engagement.**
- **70% of teens use cellphones to help with homework.**

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

The average North American smartphone user will consume 48 GB of data per month in 2023, up from just 5.2 GB per month in 2016 and 7.1 GB per month in 2017 .[1]

Of American homes are wireless only.[2]

In North America, the average household has 13 connected devices with smartphones outnumbering tablets 6 to 1.[3]

1. Ericsson Mobility Report, November 2017
2. CDC's 2018 Wireless Substitution: Early Release of Estimates From the National Health Interview Survey, January-July, 2018
3. IHS Market Connected Device Market Monitor: Q1 2016 , June 7, 2016

A wireless network is like a highway system…

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

verizon

Wireless facilities and property values.

Cell service in and around the home has emerged as a critical factor in home-buying decisions.

National studies demonstrate that most home buyers value good cell service over many other factors including the proximity of schools when purchasing a home.

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

83% 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.

90% 90% of U.S. households use wireless service. Citizens need access to 911 and reverse 911 and wireless may be their only connection.[2]

1. RootMetrics/Money, The Surprising Thing Home Buyers Care About More than Schools, June 2, 2015
2. CTIA, June 2015

With over 80% of 9-1-1 calls now coming from cell phones…[1]

240 million 911 calls are made annually. In many areas, 80% or more are from wireless devices.[1]

1. National Emergency Number Association, Enhancing 9-1-1 Operations With Automated Abandoned Callback & Location Accuracy (Motorola Solutions) (August 23, 2018)

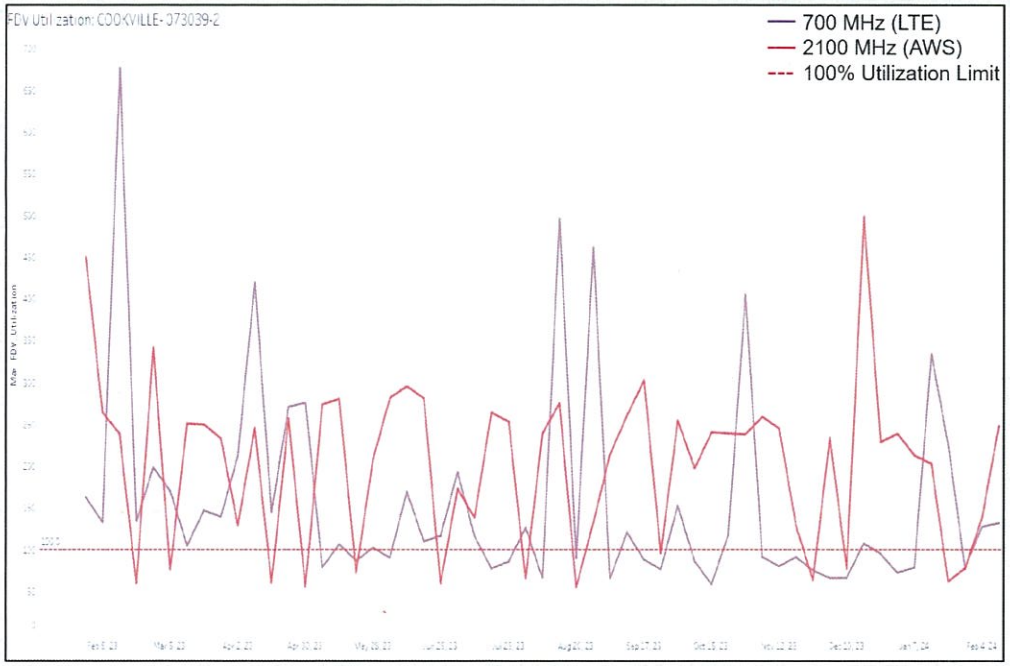
Explanation of Wireless Capacity

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 (Cookville 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 **Cookville** 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 **Cookville** 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). In order to provide adequate and reliable service to **Batavia** and the surrounding project area, network densification is required.

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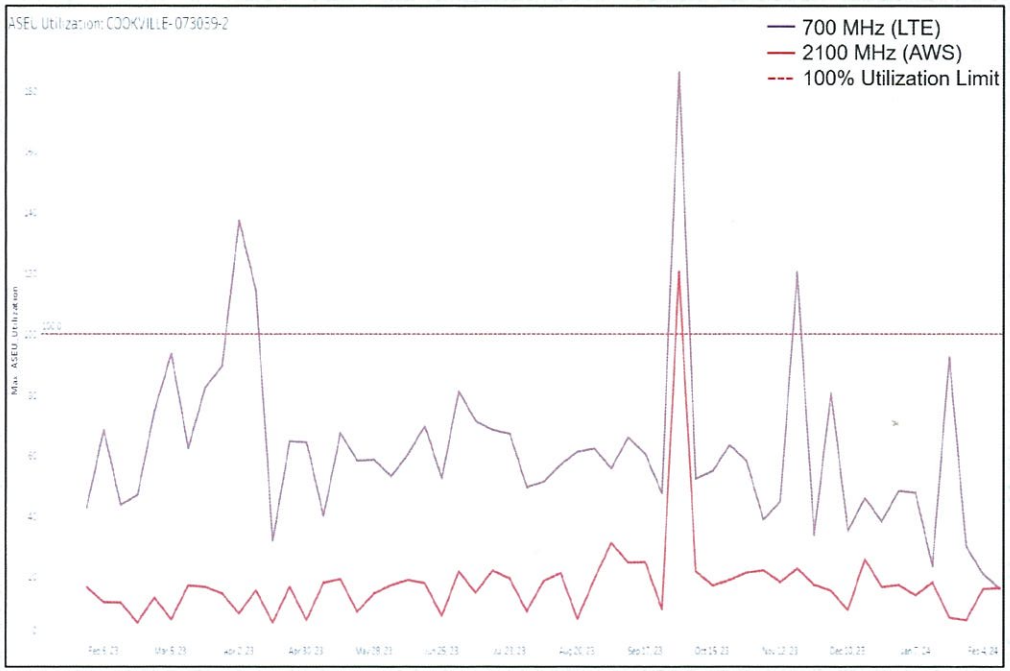
Capacity Utilization
ASEU (Cookville Beta)



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 **Cookville** 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 **Cookville** sector cannot support the traffic demand throughout the extent of the large geographic area it covers. **Cookville** is overloaded, as shown by the purple actual use line exceeding the red dashed exhaustion threshold. In order to provide adequate and reliable service to **Batavia** and the surrounding project area, network densification is required.

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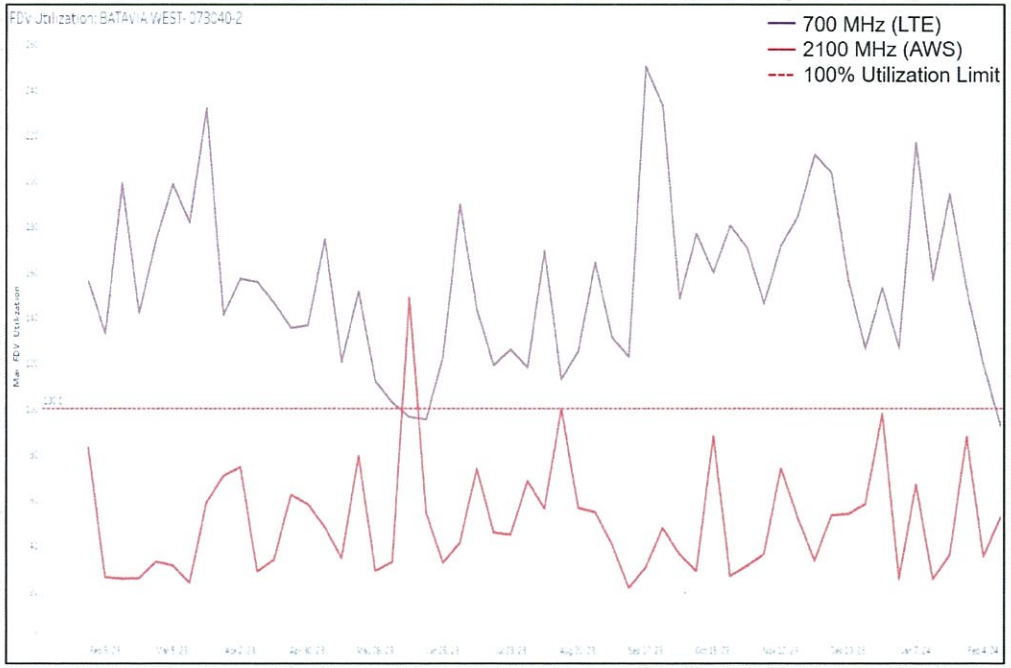
Capacity Utilization
FDV (Batavia West Beta)



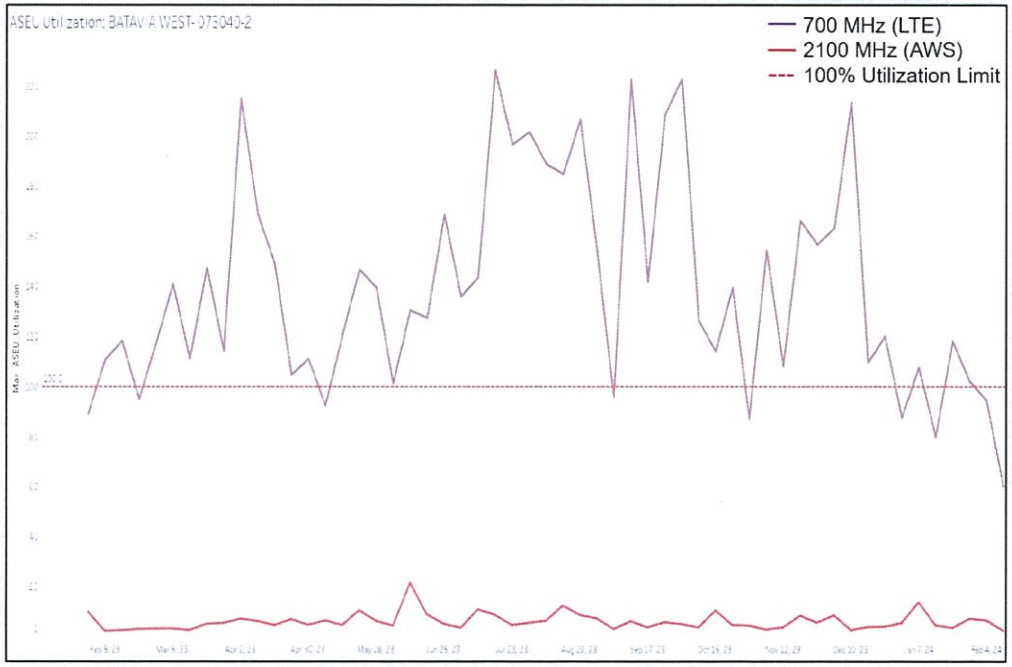
Summary: This graph shows FDV (**F**orward **D**ata **V**olume) which is a measurement of the customer data usage that this sector currently serves. As this limit is approached, data rates slow to unacceptable levels, potentially causing unreliable service for Verizon Wireless customers.

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 **Batavia West** 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 **Batavia West** sector shown above has exceeded its capability of supporting FDV requirements as shown by the purple line exceeding the max utilization threshold (red dashed line). In order to provide adequate and reliable service to **Batavia** and the surrounding project area, network densification is required.

verizon

Capacity Utilization
ASEU (Batavia West 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 **Batavia West** 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 **Batavia West** sector cannot support the traffic demand throughout the extent of the large geographic area it covers. **Batavia West** is overloaded, as shown by the purple actual use line exceeding the red dashed exhaustion threshold. In order to provide adequate and reliable service to **Batavia** and the surrounding project area, network densification is required.

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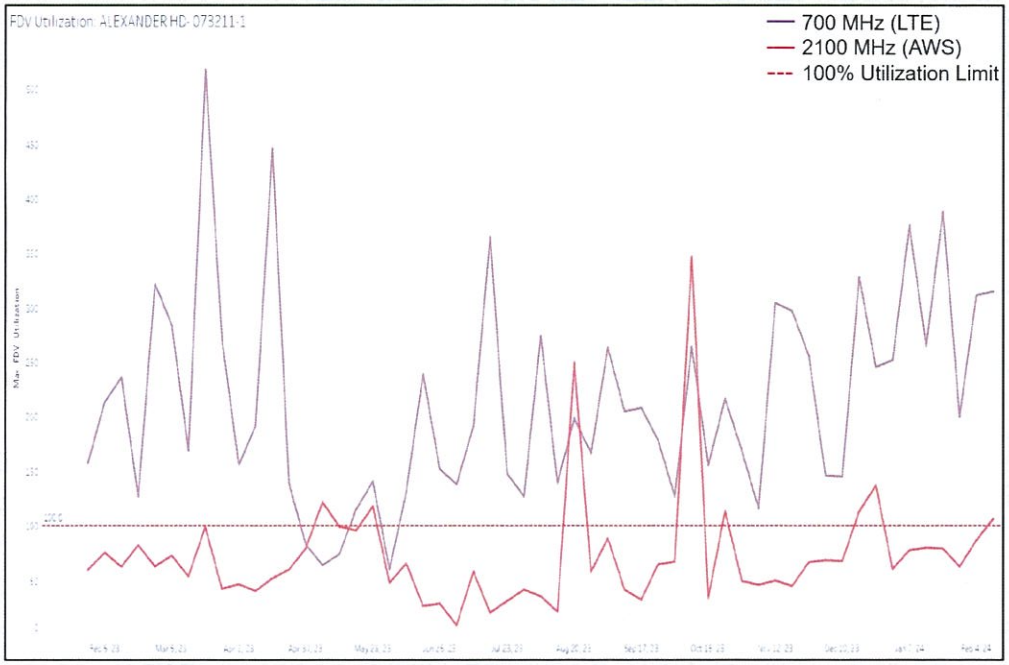
Capacity Utilization
FDV (Alexander Alpha)



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 **Alpha** sector of the **Alexander** 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 **Alexander** 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). In order to provide adequate and reliable service to **Batavia** and the surrounding project area, network densification is required.

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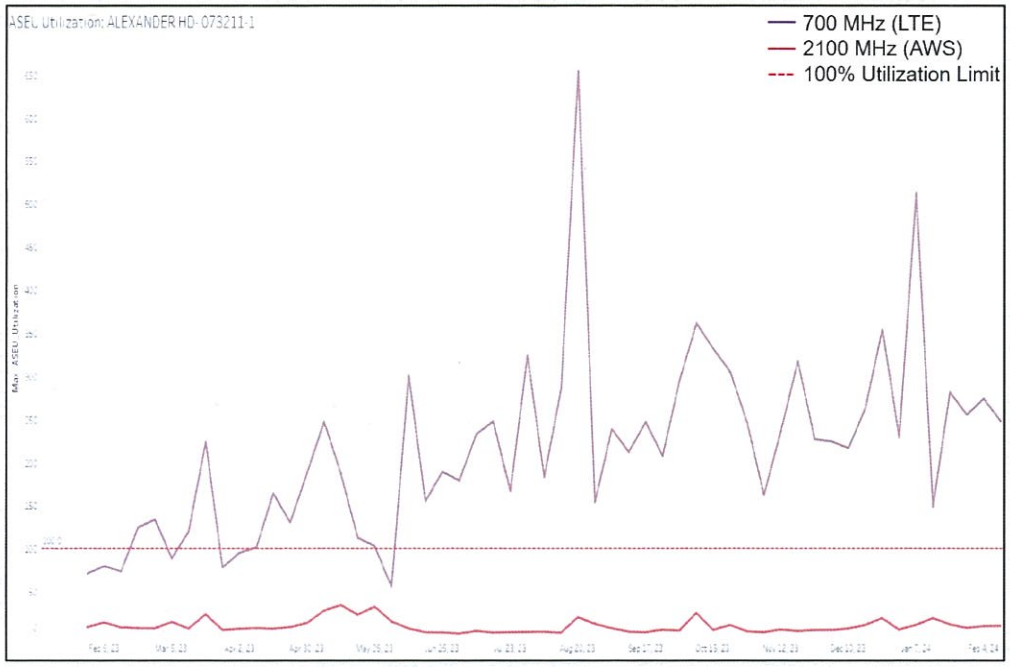
Capacity Utilization
ASEU (Alexander Alpha)



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 **Alpha** sector of the **Alexander** 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 **Alexander** sector cannot support the traffic demand throughout the extent of the large geographic area it covers. **Alexander** is overloaded, as shown by the purple actual use line exceeding the red dashed exhaustion threshold. In order to provide adequate and reliable service to **Batavia** and the surrounding project area, network densification is required.

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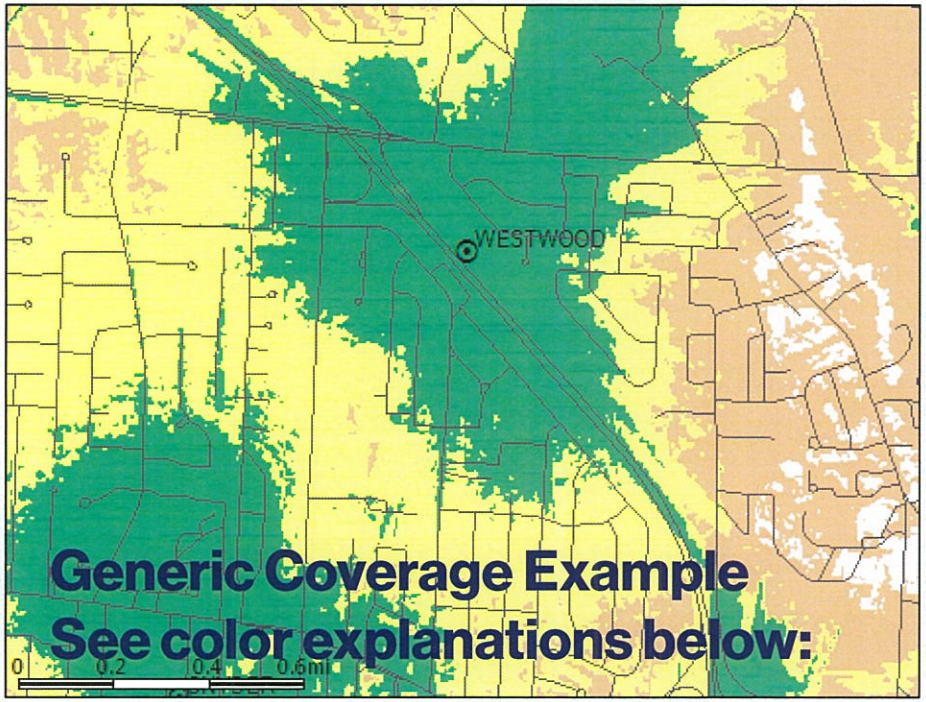
Explanation of Wireless Coverage



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 4G LTE at 700 MHz and 850MHz. As capacity requirements increase, higher frequency (and bandwidth) PCS (1900 MHz) and AWS (2100 MHz) carriers are added. In some mountaintop or long distance situations the mid band (higher frequency) AWS and PCS carriers are not fully effective due to excessive distance (path loss) 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.)
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
Orange >/= -105dBm RSRP, rural highway coverage, subject to variable conditions including fading and seasonality gaps
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

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Explanation of Wilkinson and Lear Search Area

Wilkinson and Lear 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.

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 providing a new dominant signal area and offloading weak and distant traffic from **Cookville, Batavia West and Alexander** with the proposed site, adequate and reliable service will be restored. The new **Wilkinson and Lear** site will provide dominant and dedicated signal to the identified portions of the Towns of **Batavia, Alexander, Darien and Pembroke**. This helps to improve not only the **Wilkinson and Lear** project area but will also result with significant improvements to the above mentioned overloaded sites ultimately improving community wide areas in and around the **Wilkinson and Lear** project area.

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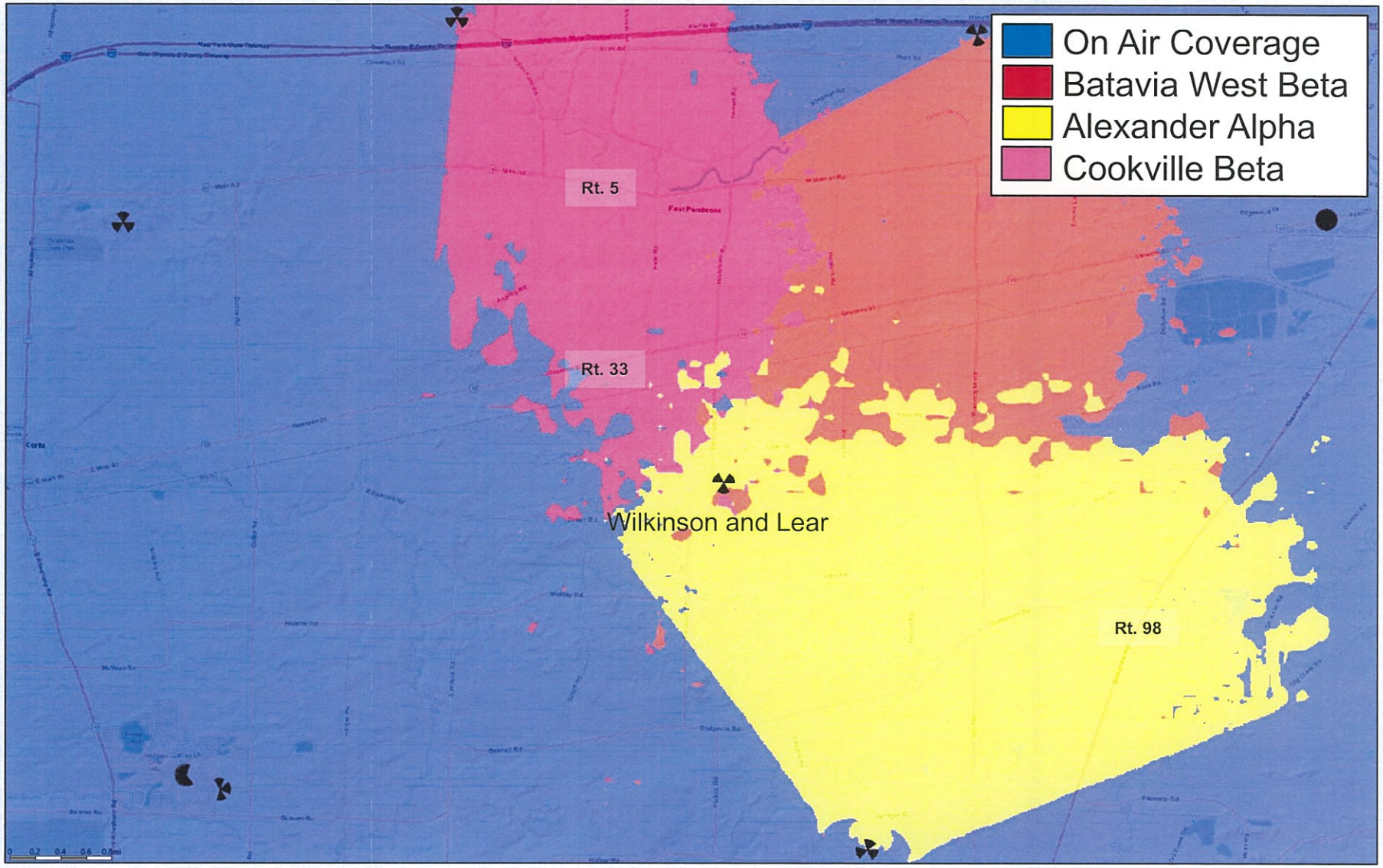
Existing 700MHz Best Server -105dBm RSRP

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.

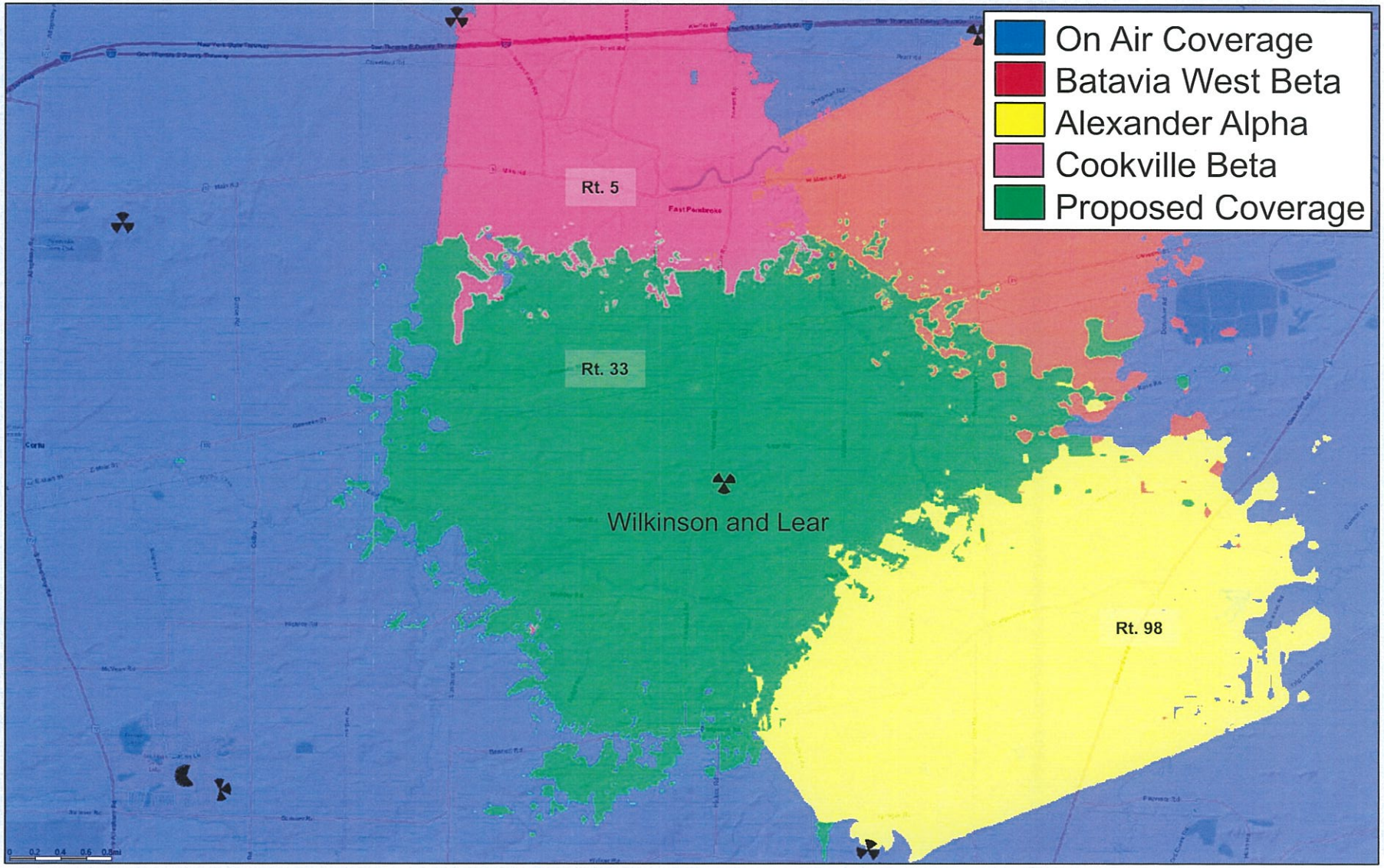


The map above represents coverage from existing sites, with the sites in need of capacity offload detailed in the legend above. Blue coverage is from other on air (Low Band) sites.

verizon

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.

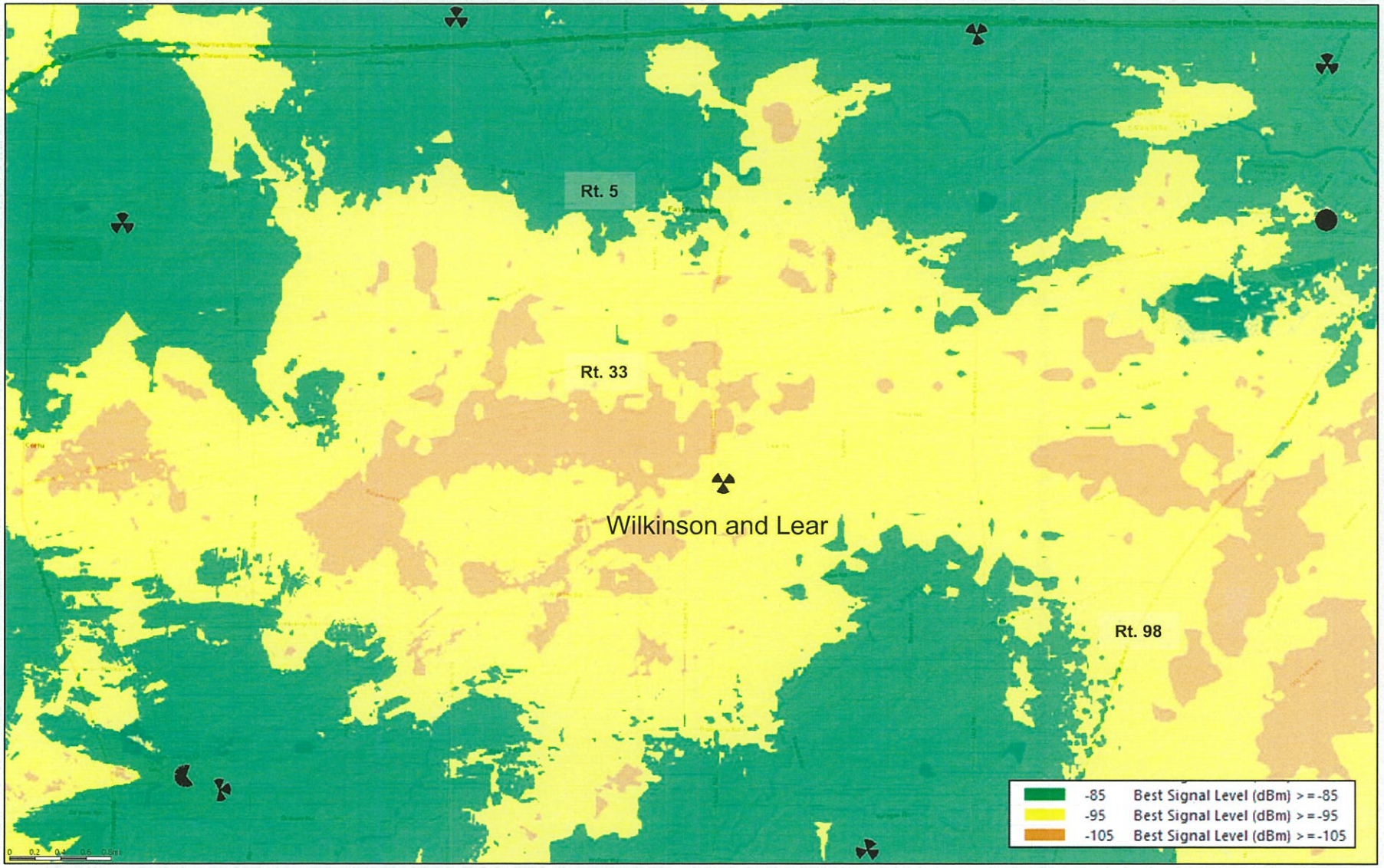


The map above adds the footprint of the proposed **Wilkinson and Lear** site in green. The green best server footprint provides improved coverage and capacity throughout the identified significant gap area. This will help to resolve the coverage and capacity issues impacting the existing overloaded sectors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

verizon

Existing 700MHz Coverage (signal strength)

This coverage map shows how weak the RF conditions are in portions of the Town of **Batavia** and surrounding area.
Refer to slide 12 for further explanation of these color thresholds



The map above represents existing low band signal strength coverage from existing sites.

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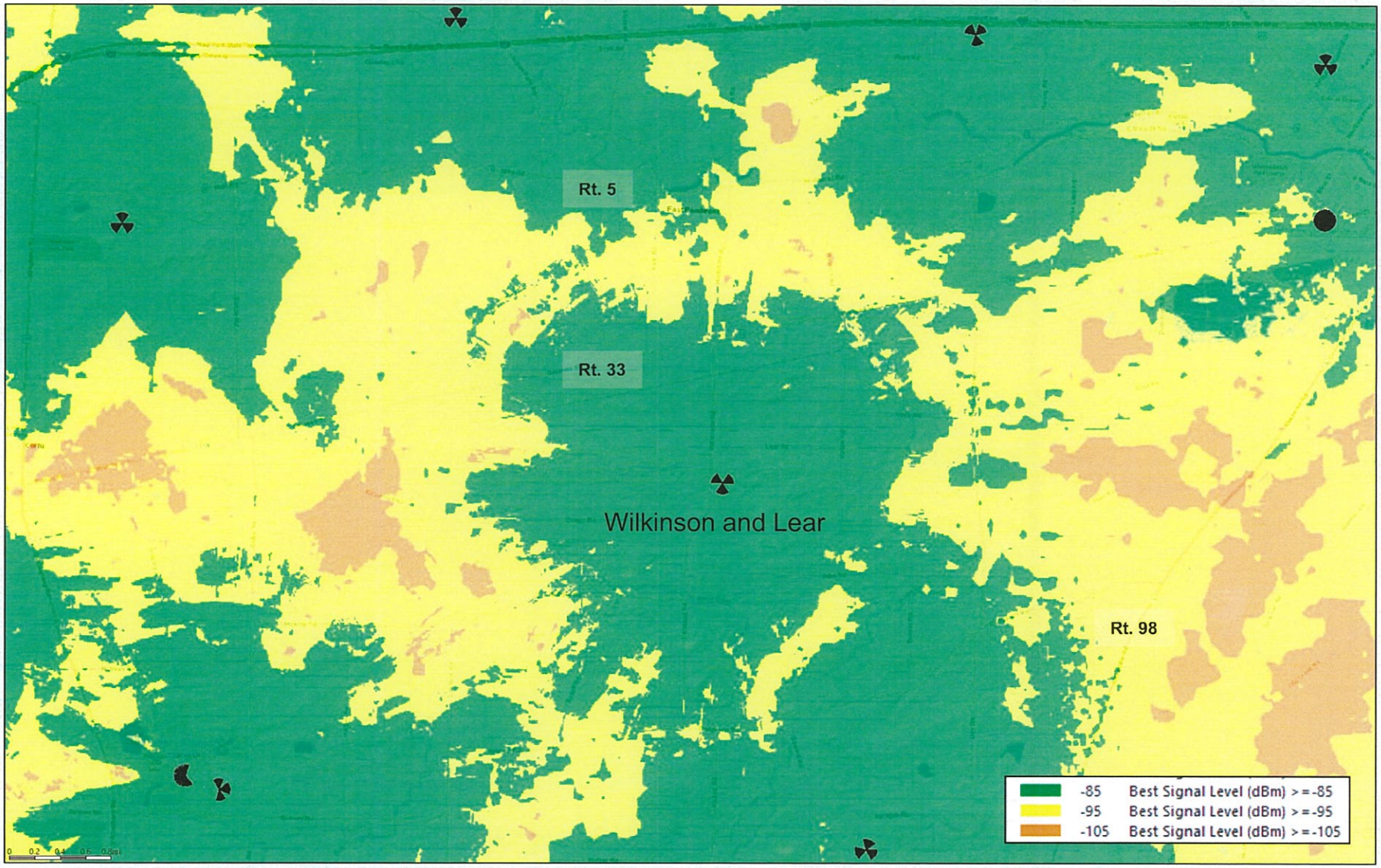
Proposed 700MHz Coverage (signal strength)

This coverage map shows how improved the RF conditions will be in portions of the Town of **Batavia** and surrounding area.
Refer to slide 12 for further explanation of these color thresholds

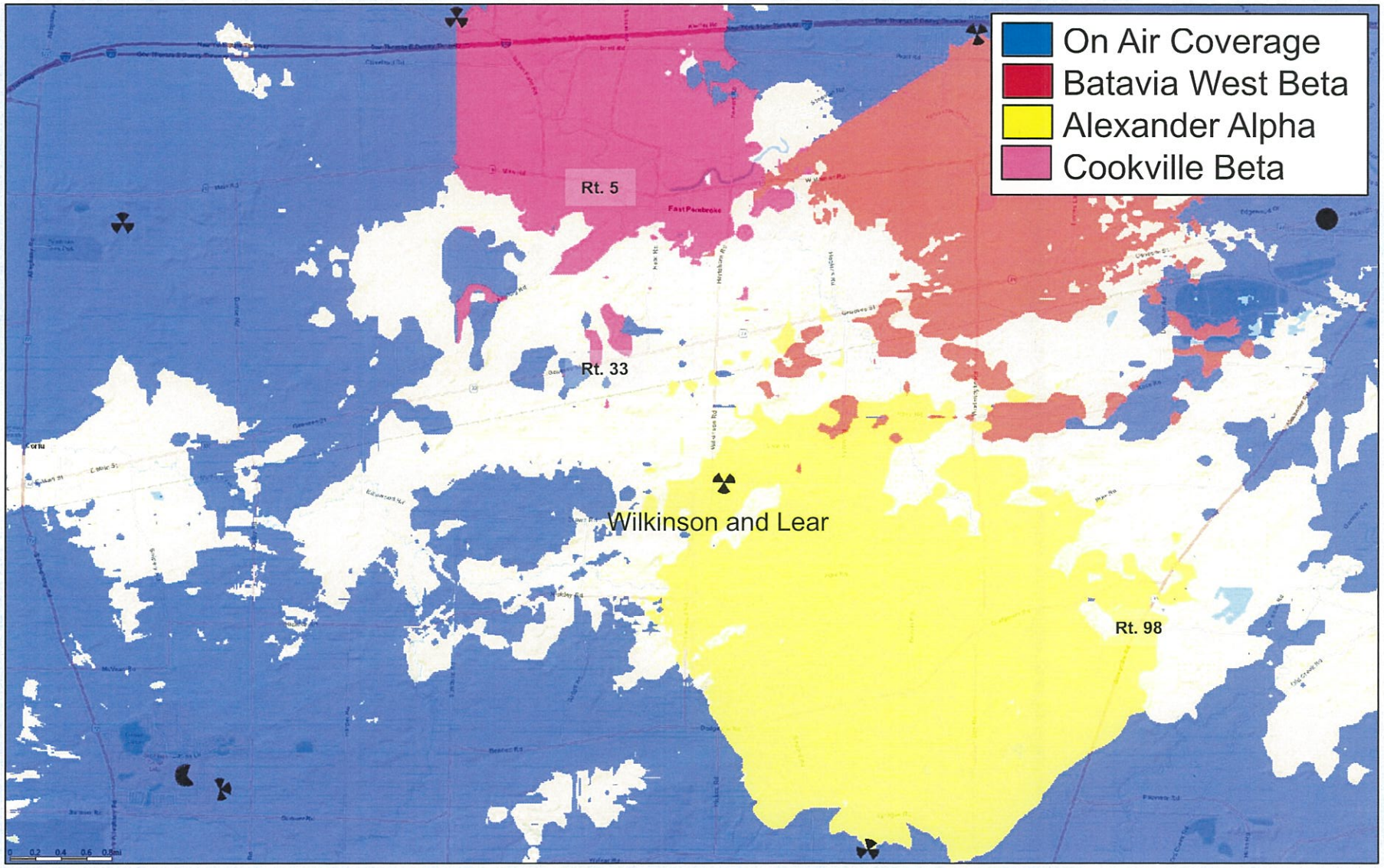


The map above adds low band of the **Wilkinson and Lear** site to the existing signal strength (small cells removed from previous slide). The significantly improved signal strength corresponds to improved coverage and capacity throughout the identified significant gap areas. This will help to resolve the coverage and capacity issues impacting portions of the Town of Pittsford.

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 (Mid Band) sites.

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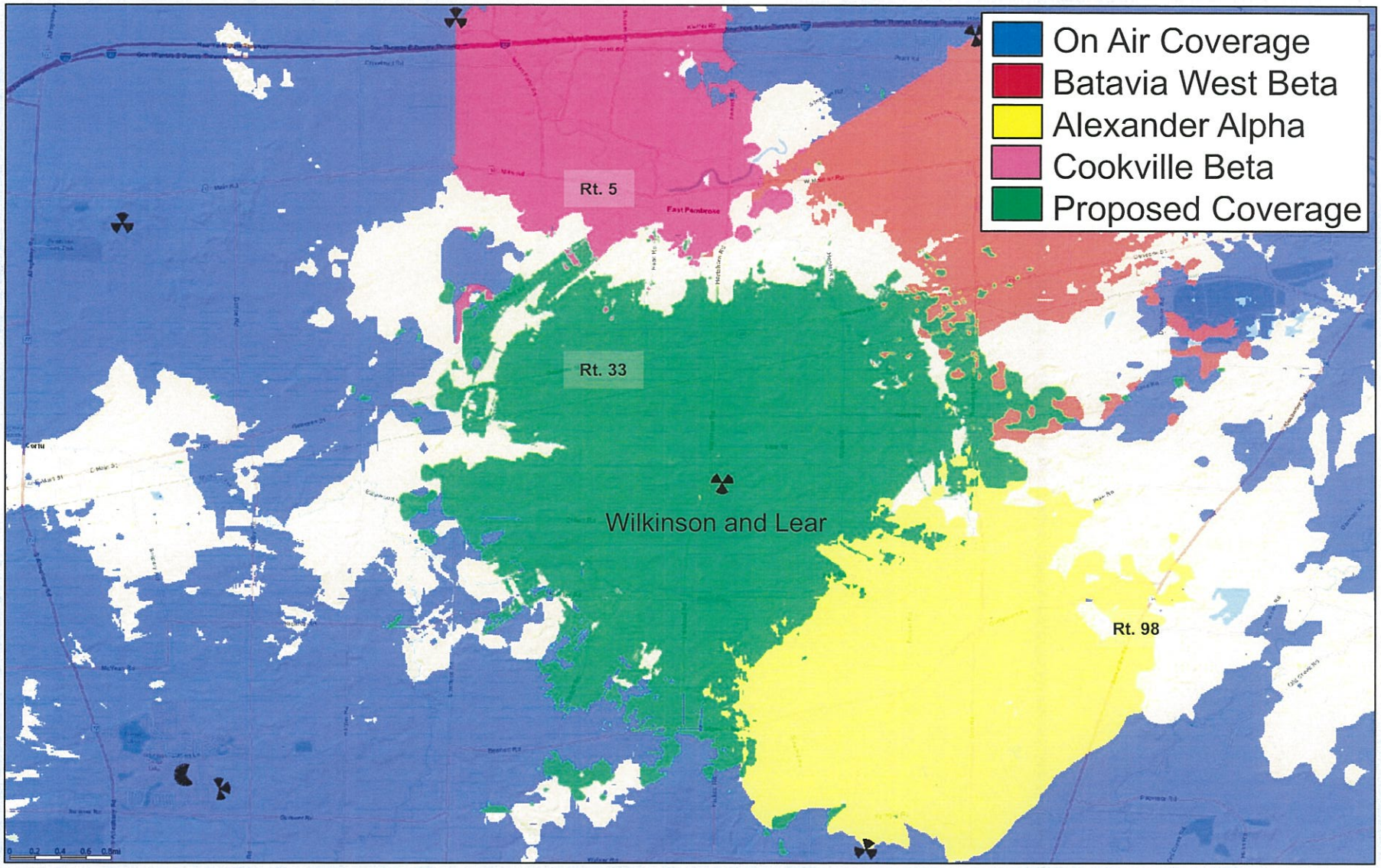
Proposed 2100MHz Best Server -105dBm RSRP

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.

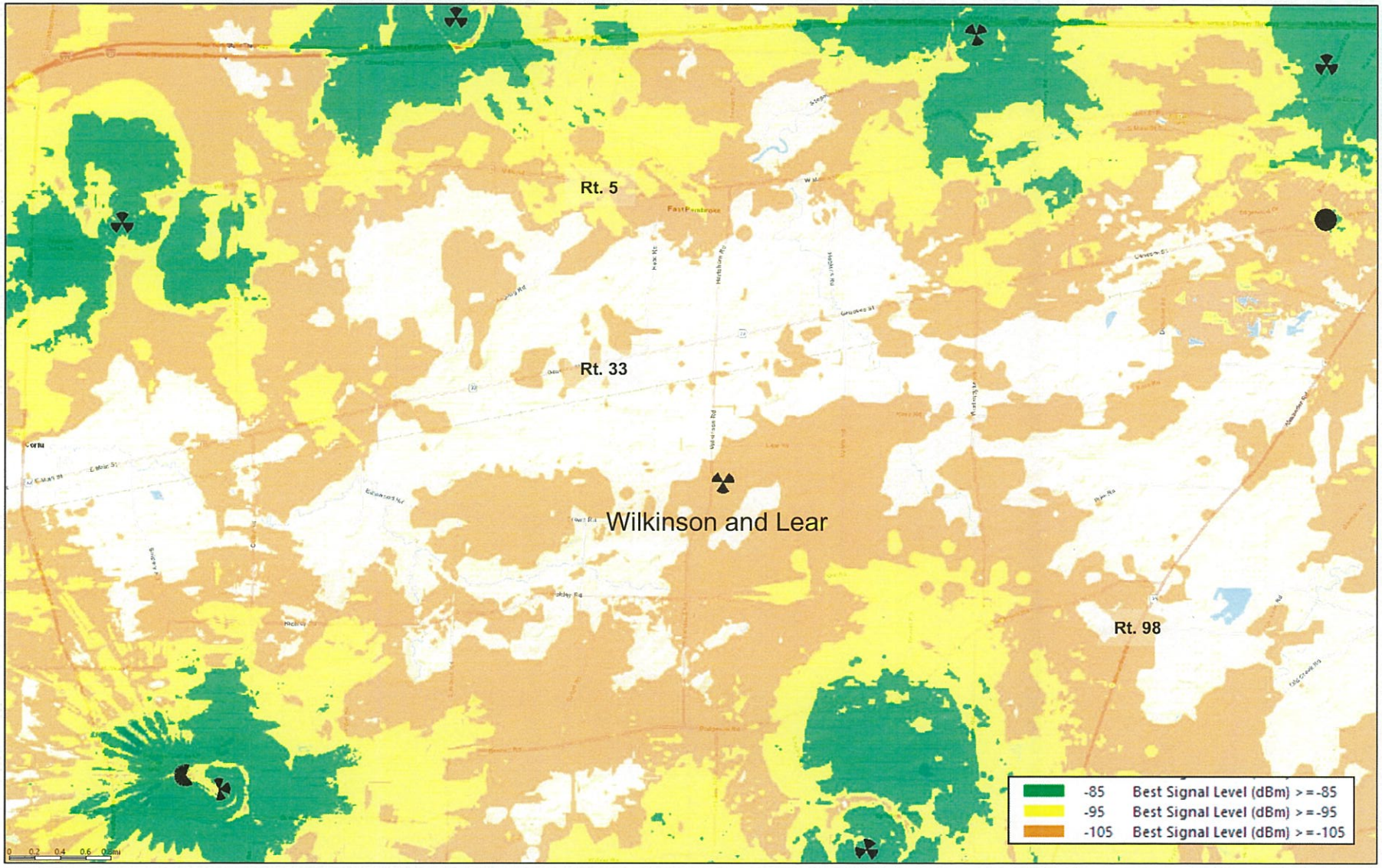


The map above adds the footprint of the proposed **Wilkinson and Lear** site in green. The green best server footprint provides improved coverage and capacity throughout the identified significant gap area. This will help to resolve the coverage and capacity issues impacting the existing overloaded sectors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

verizon

Existing 2100MHz Coverage (signal strength)

This coverage map shows how weak the RF conditions are in portions of the Town of **Batavia** and surrounding area.
Refer to slide 12 for further explanation of these color thresholds



The map above represents mid band 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.

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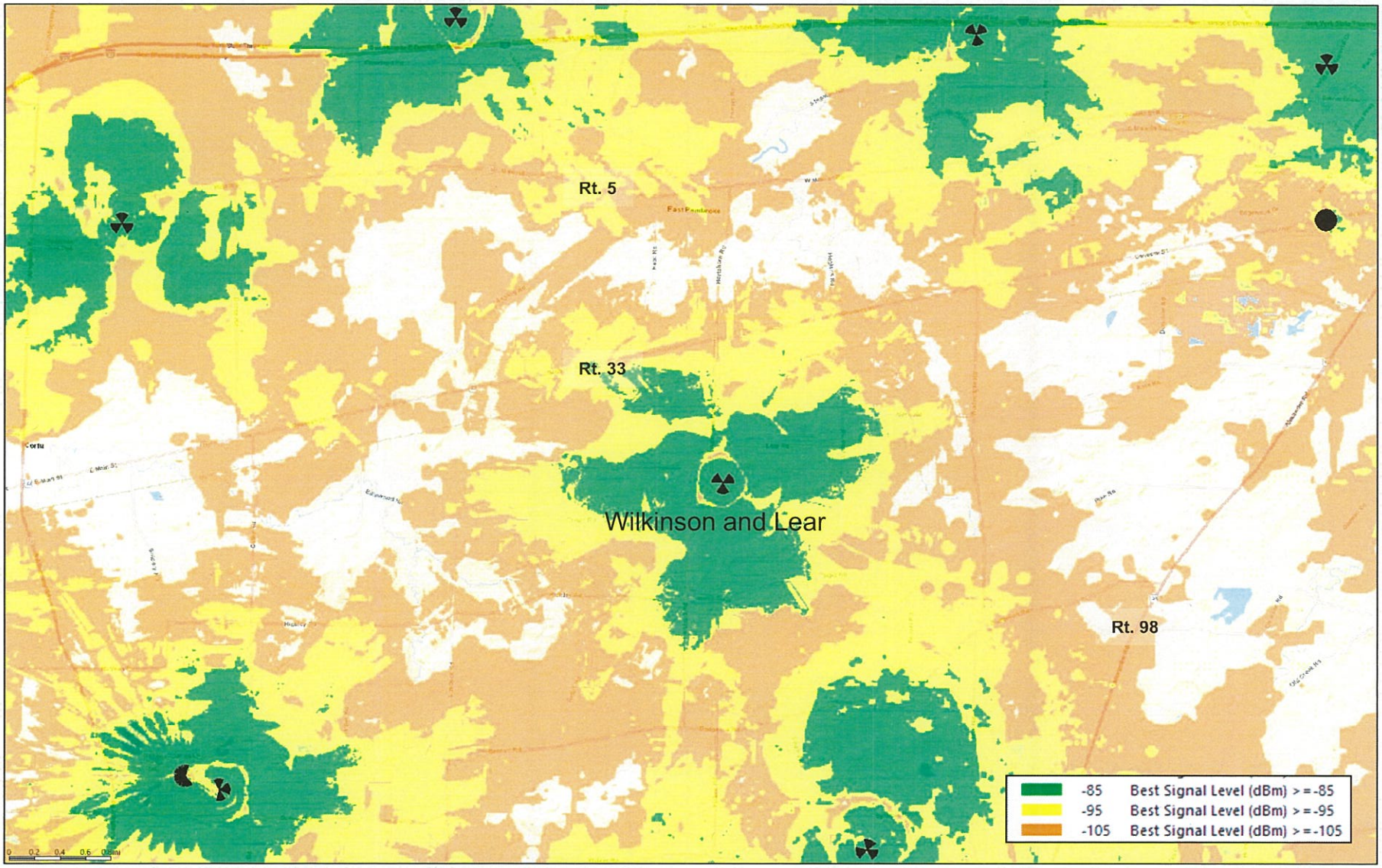
Proposed 2100MHz Coverage (signal strength)

This coverage map shows how improved the RF conditions will be in portions of the Town of **Batavia** and surrounding area.
Refer to slide 12 for further explanation of these color thresholds



The map above adds mid band of the **Wilkinson and Lear** site to the existing signal strength (small cells removed from previous slide).
The significantly improved signal strength corresponds to improved coverage and capacity throughout the identified significant gap areas.
This will help to resolve the coverage and capacity issues impacting portions of the Town of Pittsford.

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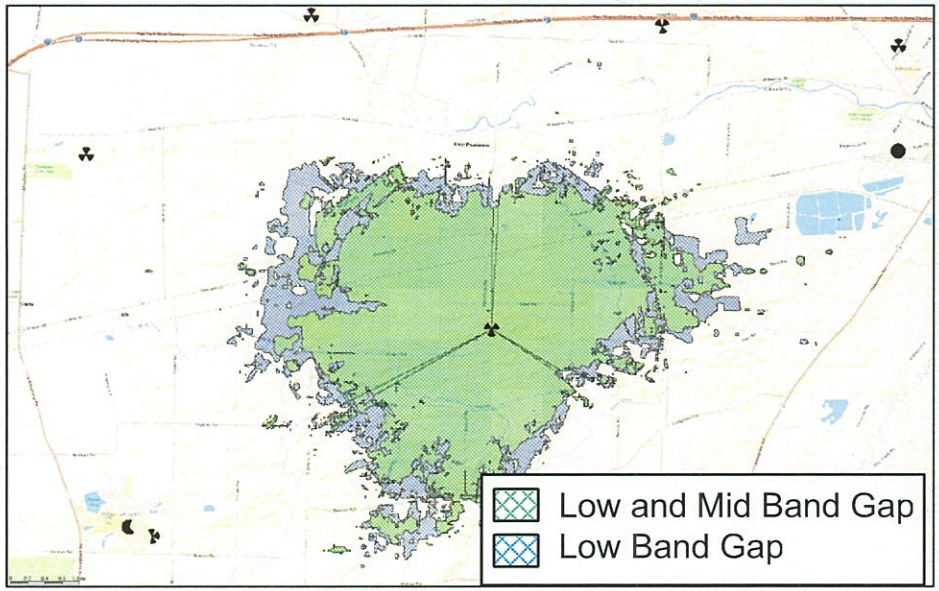
RF Justification Summary



The proposed site resolves the substantial and significant gaps in coverage and capacity impacting the Town of Batavia. These gaps are shown above: The green shaded area represent the gaps in coverage and capacity that the proposed **Wilkinson and Lear** site with 150' ACL will resolve.

The network was analyzed to determine whether there is sufficient **RF coverage and capacity** in the **Towns of Batavia, Alexander, Darien and Pembroke**. It was determined that there are significant gaps in adequate LTE service for Verizon Wireless in the representative 700 and 2100MHz frequency bands. In addition to the coverage deficiencies, Verizon Wireless' network does not have sufficient capacity (low band or mid band) to handle the existing and projected LTE voice and data traffic in the area near and neighboring the proposed facilities ("targeted service improvement area"). Based on the need for additional coverage and capacity while considering the 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 facilities are also needed to provide "**capacity relief**" to the existing nearby Verizon Wireless sites, allowing the proposed facilities and those neighboring sites to adequately serve the existing and projected capacity demand in this area.

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 expert opinion that the proposed site will satisfy the coverage and capacity needs of Verizon Wireless and its subscribers in these portions of the **Towns of Batavia, Alexander, Darien and Pembroke** and this project area. The proposed location depicted herein satisfies the identified service gaps and is proposed at the minimum height necessary for adequate and reliable service.

Phillip A. Colantonio

Phillip A. Colantonio
Engineer III – RF Design
Verizon Wireless

verizon

EXHIBIT G

SITE SELECTION ANALYSIS
WILKINSON AND LEAR
APRIL 1, 2024

BELL ATLANTIC MOBILE SYSTEMS LLC
d/b/a/ VERIZON WIRELESS

WILKINSON AND LEAR

9321 WILKINSON ROAD
BATAVIA, NEW YORK 14020

REAL ESTATE SITE SELECTION REPORT
APRIL 1, 2024

SITE SELECTION ANALYSIS
WILKINSON AND LEAR
APRIL 1, 2024

SITE SELECTION REPORT

Bell Atlantic Mobile Systems LLC, d/b/a Verizon Wireless, proposes to install and operate a new wireless telecommunications facility, including a new tower structure, associated antennas and equipment and related appurtenances located 9321 Wilkinson Road the Town of Batavia, Genesee County, New York. The property is a 15-acre parcel, zoned as AG-R Agricultural – Residential and is currently used as agricultural and wooded areas with a residential unit at the front of the parcel.

1. The Search Area

The need for a new Verizon Wireless site in the Town of Batavia is based on a comprehensive analysis prepared separately by Verizon Wireless' in-house Radio Frequency ("RF) Design Engineer. As part of that RF analysis, the Verizon Wireless RF Design Engineer developed a search area for the proposed new site. The search area is the geographical area within which a new wireless telecommunications facility is most likely to provide the required coverage and/or capacity relief. One of the purposes of the search area is to assist the site acquisition firm to focus its efforts on the particular area within which a new facility can be located to remedy the specific RF concern identified by the RF Design Engineer.

The search area for the Wilkinson and Lear ("Search Area") is illustrated by the red line in **Figure 1**, attached hereto.

(a) Geography & Topography

The Wilkinson and Lear Search Area is characterized as being very rural in nature, and comprises mostly large agricultural parcels. The Search Area consists of a mixture of pastures, agricultural fields and associated farm buildings with several residential parcels. Several parcels within the search ring and surrounding parcels have identified DEC Wetlands. **Figure 2** depicts an overlay of the Search Area on an aerial tax map/wetlands for the area.

(b) Land Use

The Search Area is made up of predominately agricultural fields and pasture lands. During the review of the Search Area, the site acquisition firm attempts to identify properties that are sufficiently removed from existing residential areas whenever feasible. However, because network densification often involves existing residential areas, it is often not practicable to locate new sites great distances from such residential areas.

(c) Description of Figures

The following figures are provided to illustrate the different characteristics which exist within the Search Area relative to the identification of a location for a new wireless communications facility.

Figure 1 - Depicts an overlay of the Overall Search Area.

Figure 2 – Depicts an overlay of the Search Area with Candidates and Tax Map and Wetlands/Floodplains Overlay.

Figure 3 – Depicts the Search Area with Candidates.

Figure 4- Depicts a two-mile radius from the proposed tower location and existing towers or tall structures identified.

2. Zoning Considerations

(a) Collocation

Verizon Wireless routinely seeks to install its antennas and equipment on existing communication towers or other tall structures, including municipally owned properties ("Collocation"), whenever feasible. Local communities universally favor Collocation because they can minimize the number of wireless telecommunications towers in an area and many municipalities even provide for a streamlined application review process. Collocation is often listed as the highest siting priority in a local municipality's Zoning Law. In addition to the streamlined zoning application process, Collocation is preferred by wireless providers because it is generally a less expensive and more timely option, compared to installation of a new tower facility.

(b) New Structure on Privately-owned Property

When it is not feasible to collocate on an existing tower or tall structure, Verizon Wireless must find an appropriate site that can accommodate a new communications structure. In doing so, the Site Acquisition Specialist attempts to identify properties in the Search Area large enough to accommodate the facility and any required bulk area requirements such as set back and fall zones that may exist in the local zoning law. In addition, other characteristics such as existing compatible land use and existing mature vegetation that can screen the facility are considered. Access, land use, the presence of wetlands, floodplains and other contributing factors are also examined, as well as construction-related issues.

3. The Wilkinson and Lear Search Area

After a comprehensive investigation of the Search Area, no existing towers or tall structures were identified and/or suitable for Collocation within or near the limits of the Search Area. During our investigation of the Search Area, a total of Twenty Eight (28) parcels were identified in the Town of Batavia as being potential candidates for a new communications facility based upon topography, access, wetland locations and sighting issues. Thirteen parcels of the 28 parcels identified were evaluated as possible new locations. The other 15 parcels were eliminated based upon non interest or siting issues. The location of the candidates are identified on **Figure 3**. A summary of the properties evaluated as potential locations are detailed below.

(a) Keicher – 25-1-23 This parcel is located at 2514 Genesee in the Town of Pembroke. The parcel is 40 acres of wooded acres, agricultural fields and a residential unit. The property is located inside the Search Area and is large enough to accommodate the required setbacks to property lines and residential structures. This property was not selected by RF as the primary candidate for this project due to the proximity of wetlands.

(b) Fincher – 25-1-14 This parcel is located at 2484 Genesee Street in the Town of Pembroke. The parcel is 42 acres of wooded acres, agricultural fields and a residential unit. The property is located inside the Search Area and is large enough to accommodate the required setbacks to property lines and residential structures. This property was not selected by RF as the primary candidate for this project due to the proximity of wetlands.

(c) Harmon – 14-1-1.1 This parcel is located at 2659 Genesee Street in the Town of Batavia. The parcel is 106 acres of wooded acres and agricultural fields. The property is located inside the Search Area and is large enough to accommodate the required setbacks to property lines and residential structures. This property was not selected by RF as the primary candidate for this project due to the proximity of wetlands.

(d) Anderson – 14-1-20 This parcel is located at 2832 Pearl Street in the Town of Pembroke. The parcel is 25 acres of wooded acres, agricultural fields and a residential unit. The property is located inside the Search Area and is large enough to accommodate the required setbacks to property lines and residential structures. This property was not selected by RF as the primary candidate for this project due to the proximity of wetlands and access over existing railroad track.

(e) Mangino – 14-1-21 This parcel is located at 2910 Pearl Street in the Town of Batavia. The parcel is 98 acres of wooded acres and agricultural fields. The property is located inside the Search Area and is large enough to accommodate the required setbacks to property lines and residential structures. This property was not selected by RF as the primary candidate for this project due to the proximity of wetlands and access over existing railroad tracks.

(f) Raffel – 14-1-47 This parcel is located off of Wilkinson Road in the Town of Batavia. The parcel is 13 acres of wooded acres and agricultural fields. The property is located inside the Search Area and is large enough to accommodate the required setbacks to property lines and residential structures. This property was not selected by RF as the primary candidate for this project due to the proximity of wetlands.

(g) Franks – 14-1-37.111 This parcel is located at 2951 Lear Road in the Town of Batavia. The parcel is 67 acres of wooded acres, agricultural fields and a residential unit. The property is located inside the Search Area and is large enough to accommodate the required setbacks to property lines and residential structures. This property was not selected by RF as the primary candidate for this project due to the inability to access and site the location out of wetlands without disturbing the owners agricultural ability.

(h) Perry – 16-1-19.11 This parcel is located at 2866 Lear Road in the Town of Batavia. The parcel is 150 acres of wooded acres, agricultural fields and a residential unit. The property is located inside the Search Area and is large enough to accommodate the required setbacks to property lines and residential structures. This property was not selected by RF as the primary candidate for this project as the Owner changed his mind regarding their level of interest in the project.

(i) Perry – 16-1-19.11 This parcel is located at 2866 Lear Road in the Town of Batavia. The parcel is 150 acres of wooded acres, agricultural fields and a residential unit. The property is located inside the Search Area and is large enough to accommodate the required setbacks to property lines and residential structures. This property was not selected by RF as the primary candidate for this project as the Owner changed his mind regarding their level of interest in the project. Same owner as H above.

(j) Miller – 14-1-44 This parcel is located 9161 Wilkinson Road in the Town of Batavia. The parcel is 6 acres of wooded acres, agricultural fields and a residential unit. The property is located inside the Search Area and is large enough to accommodate the required setbacks to property lines and residential structures. This property was not selected by RF as the primary candidate for this project due to the proximity of wetlands.

(l) **Seweryniak – 16-1-29.11** This parcel is located off of Brown Road in the Town of Batavia. The parcel is 7 acre agricultural field. The property is located inside the Search Area and is large enough to accommodate the required setbacks to property lines and residential structures. This property was not selected by RF as the primary candidate for this project due to the need to site

the tower in the middle of the agricultural field to meet setbacks and interfere with the owners business.

(m) Dioguardi – 16-1-28 This parcel is located off of Brown Road in the Town of Batavia. The parcel is 6 acres agricultural fields. The property is located inside the Search Area and is large enough to accommodate the required setbacks to property lines and residential structures. This property was not selected by RF as the primary candidate for this project due to the need to site the tower in the middle of the field to meet setbacks.

Other Parcels – There are several other parcels within the search area that were evaluated and eliminated from consideration based upon, no interest, wetlands, access or sighting issues. They are as follows:

Huber – 16-1-4	Wetlands and access would eliminate the use of this parcel
Lamb – 25-1-24.11 and 16-1-1.111	Wetlands and access would eliminate the use of this parcel
Conrad – 14-1-1.2	No Interest
Forsyth – 14-1-13	No Interest
Bates – 14-1-19.11	No Interest
Meek – 14-1-49	No Interest
Sage – 14-1-45	Wetlands and access would eliminate the use of this parcel
Webster – 14-1-43.1	Wetlands and access would eliminate the use of this parcel
Gross – 16-1-15	Wetlands and access would eliminate the use of this parcel
J Seweryniak – 16-1-13	No interest
Horning – 16-1-11	No Interest
Rykert – 16-1-8	Wetlands and access would eliminate the use of this parcel
Lane – 16-1-1.12	Wetlands and access would eliminate the use of this parcel
Wilson – 16-1-1.112	Wetlands and access would eliminate the use of this parcel

(K) Douglas Ferguson (Tax Parcel ID # 16.-1-17.2)

This parcel is located at 9321 Wilkinson Road in the Town of Batavia. The parcel is 15 acres and is currently agricultural and pasture lands with a residential unit near the road frontage. The property is located inside the Search Area and is large enough to accommodate the required setbacks to property lines and residential structures. The property owner has entered into a Ground Lease with Bell Atlantic Mobile Systems LLC. This was the primary candidate selected by RF due to the AMSL, location within the search ring and ability to meet RFs objective for a cell tower in this Search Area. From a ~~sighting~~ siting perspective this site meets setback requirements and offers easy access off of Wilkinson Road without having to cross any potential wetland areas . Based on these extensive factors this was the best location within the search area.

5. SUMMARY

Based on the foregoing, the number of acceptable properties within the search area for a new communications facility within the Search Area are limited due to a number of factors and the nature of the size of the parcels within the search area. By choosing the proposed property for a new communications facility, Verizon Wireless is able to keep the overall height of the proposed tower at 154' feet. The proposed property also takes advantage of existing natural screening opportunities and is situated an appropriate distance away from existing residential development. In this regard, use of the proposed property will mitigate potential adverse impacts to the greatest extent feasible.

Prepared by:

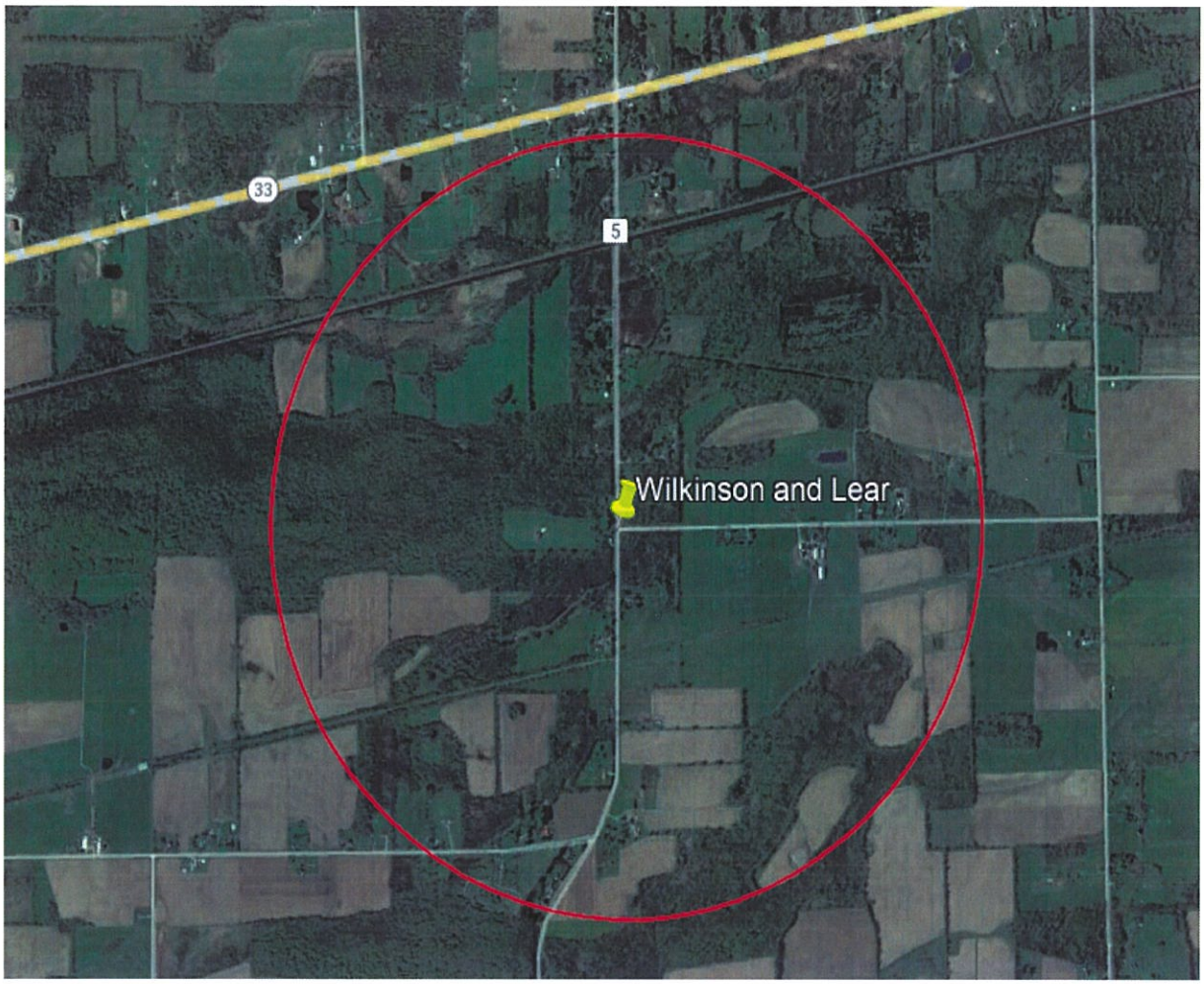
Douglas F Morrison

Douglas F Morrison
Pyramid Network Services, LLC
Consultant to Verizon Wireless

SITE SELECTION ANALYSIS
WILKINSON AND LEAR
APRIL 1, 2024

FIGURE 1

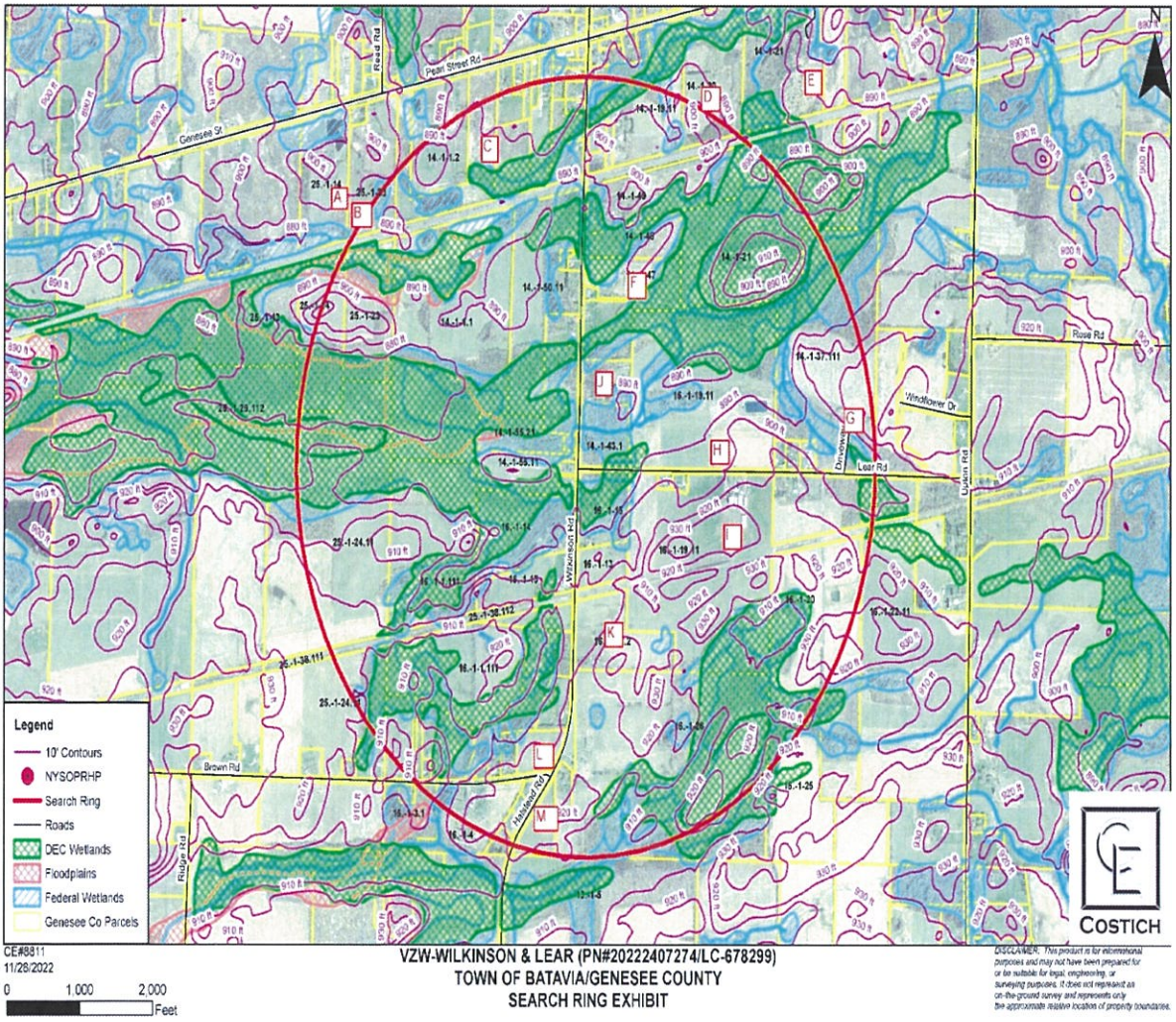
Verizon Wireless
Overall Wilkinson and Lear Search Area



SITE SELECTION ANALYSIS
WILKINSON AND LEAR
APRIL 1, 2024

FIGURE 2

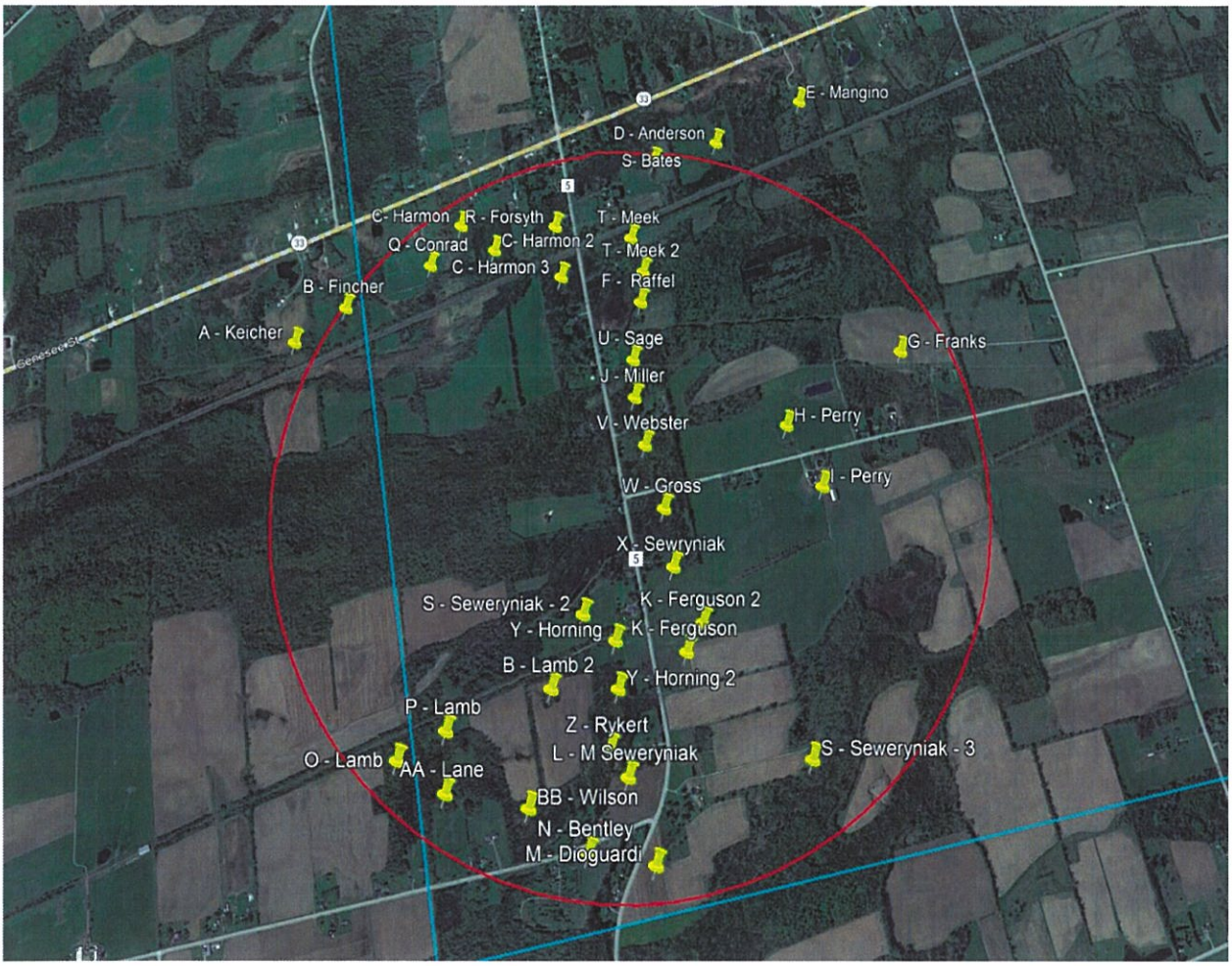
Verizon Wireless
Wilkinson and Lear Search Area with Candidates and Tax Map and Wetlands/Floodplains Overlay



SITE SELECTION ANALYSIS
WILKINSON AND LEAR
APRIL 1, 2024

FIGURE 3

Verizon Wireless
Wilkinson and Lear Search Area with Candidates



SITE SELECTION ANALYSIS
WILKINSON AND LEAR
APRIL 1, 2024

FIGURE 4

Two Mile Radius from Proposed Tower Location Showing Existing Towers/Tall Structures

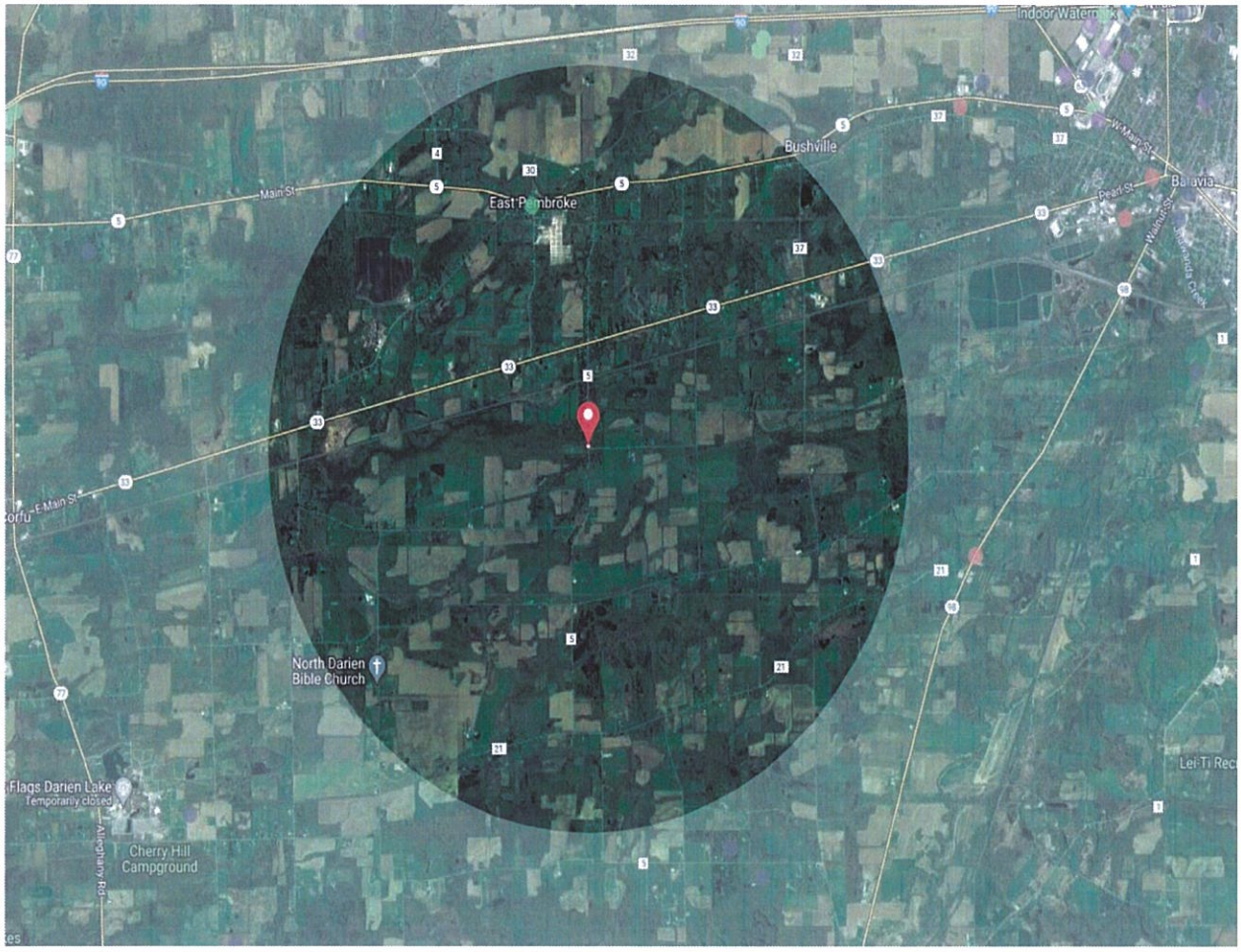


EXHIBIT H

verizon

03/06/2024

To: Town of Batavia
RE: Verizon Wireless "Wilkinson and Lear" Site Located at: 9321 Wilkinson Road. Batavia, NY 14020

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@VerizonWireless.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

EXHIBIT I

Costich Engineering
Land Surveying
Landscape Architecture

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

PROJECT NAME
Wilkinson and Lear

Photo 1

PHOTO COORDINATES
42° 58' 3.9468" N, 78° 17' 44.2824" W

PHOTO DESCRIPTION
View towards site
balloons at 154' and 174'

PHOTO LOCATION
View SW from Lear Rd.
1689' from site

DATE OF PHOTO
3/25/2024

C.E. JOB#
8811

Project ID:
17084811

Costich Engineering Land Surveying Landscape Architecture 217 LAKE AVENUE ROCHESTER, NY 14608 (585) 458-3020	PROJECT NAME Wilkinson and Lear	PHOTO DESCRIPTION Photosimulation of proposed 154' monopole	DATE OF PHOTO 3/25/2024
	Photo 1		C.E. JOB# 8811
	PHOTO COORDINATES 42° 58' 3.9468" N, 78° 17' 44.2824" W	PHOTO LOCATION View SW from Lear Rd. 1689' from site	Project ID: 17084811

Costich Engineering Land Surveying Landscape Architecture 217 LAKE AVENUE ROCHESTER, NY 14608 (585) 458-3020	PROJECT NAME Wilkinson and Lear Photo 2 PHOTO COORDINATES 42° 57' 56.4372" N, 78° 16' 45.9768" W	PHOTO DESCRIPTION View towards site balloons at 154' and 174' PHOTO LOCATION View W from Upton Rd. 4971' from site	DATE OF PHOTO 3/25/2024 C.E. JOB# 8811 Project ID: 17084811

Costich Engineering Land Surveying Landscape Architecture 217 LAKE AVENUE ROCHESTER, NY 14608 (585) 458-3020	PROJECT NAME Wilkinson and Lear Photo 2 PHOTO COORDINATES 42° 57' 56.4372" N, 78° 16' 45.9768" W	PHOTO DESCRIPTION Photosimulation of proposed 154' monopole PHOTO LOCATION View W from Upton Rd. 4971' from site	DATE OF PHOTO 3/25/2024 C.E. JOB# 8811 Project ID: 17084811

Costich Engineering Land Surveying Landscape Architecture 217 LAKE AVENUE ROCHESTER, NY 14608 (585) 458-3020	PROJECT NAME Wilkinson and Lear	PHOTO DESCRIPTION View towards site balloons at 154' and 174'	DATE OF PHOTO 3/25/2024
	Photo 3		C.E. JOB# 8811
	PHOTO COORDINATES 42° 57' 9.7668" N, 78° 17' 11.9904" W	PHOTO LOCATION View NW from Pike Rd. 4913' from site	Project ID: 17084811

Costich Engineering Land Surveying Landscape Architecture 217 LAKE AVENUE ROCHESTER, NY 14608 (585) 458-3020	PROJECT NAME Wilkinson and Lear	PHOTO DESCRIPTION Photosimulation of proposed 154' monopole	DATE OF PHOTO 3/25/2024
	Photo 3		C.E. JOB# 8811
	PHOTO COORDINATES 42° 57' 9.7668" N, 78° 17' 11.9904" W	PHOTO LOCATION View NW from Pike Rd. 4913' from site	Project ID: 17084811

Costich Engineering Land Surveying Landscape Architecture 217 LAKE AVENUE ROCHESTER, NY 14608 (585) 458-3020	PROJECT NAME Wilkinson and Lear	PHOTO DESCRIPTION View towards site balloons at 154' and 174'	DATE OF PHOTO 3/25/2024
	Photo 4	PHOTO LOCATION View NE from Wilkinson Rd. 1015' from site	C.E. JOB# 8811
	PHOTO COORDINATES 42° 57' 39.6072" N, 78° 17' 58.3116" W		Project ID: 17084811

Costich Engineering Land Surveying Landscape Architecture 217 LAKE AVENUE ROCHESTER, NY 14608 (585) 458-3020	PROJECT NAME Wilkinson and Lear Photo 4 PHOTO COORDINATES 42° 57' 39.6072" N, 78° 17' 58.3116" W	PHOTO DESCRIPTION Photosimulation of proposed 154' monopole PHOTO LOCATION View NE from Wilkinson Rd. 1015' from site	DATE OF PHOTO 3/25/2024 C.E. JOB# 8811 Project ID: 17084811

EXHIBIT J

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	J
Submarket	0	Associated Frequencies (MHz)	001770.00000000-001780.00000000 002170.00000000-002180.00000000
3.7 GHz License Type		3.7 GHz Linked License	

Dates

Grant	04/08/2015	Expiration	04/08/2027
Effective	11/01/2016	Cancellation	

Buildout Deadlines

1st	04/08/2021	2nd	04/08/2027

Discontinuance Dates

1st	2nd

Notification Dates

1st	03/10/2021	2nd	03/10/2021

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
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

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

ULS License

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

Call Sign	WQGA715	Radio Service	AW - AWS (1710-1755 MHz and 2110-2155 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	REA001 - Northeast	Channel Block	F
Submarket	21	Associated Frequencies (MHz)	001745.00000000-001755.00000000 002145.00000000-002155.00000000
3.7 GHz License Type		3.7 GHz Linked License	

Dates

Grant	12/14/2021	Expiration	11/29/2036
Effective	12/14/2021	Cancellation	

Buildout Deadlines

1st — 2nd

Discontinuance Dates

1st — 2nd

Notification Dates

1st — 2nd 08/26/2021

Licensee

FRN	0003290673	Type	General Partnership

Licensee

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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?	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 country?	**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.

Demographics

Race

Ethnicity — Gender

ULS License

AWS (1710-1755 MHz and 2110-2155 MHz) License - WQGA904 - Cellco Partnership

Call Sign	WQGA904	Radio Service	AW - AWS (1710-1755 MHz and 2110-2155 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	B
Submarket	3	Associated Frequencies (MHz)	001720.00000000-001730.00000000 002120.00000000-002130.00000000
3.7 GHz License Type		3.7 GHz Linked License	

Dates

Grant	12/21/2021	Expiration	11/29/2036
Effective	12/21/2021	Cancellation	

Buildout Deadlines

1st	2nd

Discontinuance Dates

1st	2nd

Notification Dates

1st	2nd	08/30/2021

Licensee

FRN	0003290673	Type	General Partnership

Licensee

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5055 North Point Pkwy, NP2NE Network Engineering
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P:(770)797-1070
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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
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

ULS License

Cellular License - KNKQ273 - Bell Atlantic Mobile Systems LLC

Call Sign	KNKQ273	Radio Service	CL - Cellular
Status	Active	Auth Type	Regular

Market

Market	CMA561 - New York 3 - Chautauqua	Channel Block	B
Submarket	0	Phase	2

Dates

Grant	09/01/2020	Expiration	10/01/2030
Effective	09/01/2020	Cancellation	

Five Year Buildout Date

01/28/1996

Control Points

4	500 W. Dove Rd., TARRANT, Southlake, TX P: (800)264-6620

Licensee

FRN	0029635588	Type	Limited Liability Company

Licensee

Bell Atlantic Mobile Systems LLC
5055 North Point Pkwy, NP2NE Network Engineering
Alpharetta, GA 30022
ATTN Regulatory

P:(770)797-1070
E:Licensing.Compliance@VerizonWireless.com

Contact

Verizon

1300 I Street NW - Suite 500 East
Washington, DC 20005
ATTN Sarah Trosch

P:(202)515-2453
E:sarah.trosch@verizon.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.

Demographics

Race

Ethnicity

Gender

ULS License

PCS Broadband License - KNLH270 - Cellco Partnership

Call Sign	KNLH270	Radio Service	CW - PCS Broadband
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	BTA379 - Rochester, NY	Channel Block	F
Submarket	0	Associated Frequencies (MHz)	001890.00000000-001895.00000000 001970.00000000-001975.00000000

Dates

Grant	06/02/2017	Expiration	06/27/2027
Effective	06/02/2017	Cancellation	

Buildout Deadlines

1st	06/27/2002	2nd	

Notification Dates

1st	06/04/2002	2nd	

Licensee

FRN	0003290673	Type	Joint Venture

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

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?	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 country?	**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.

Demographics

Race

Ethnicity

Gender

ULS License

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

PA **This license has pending applications:** 0008839958, 0008839948, 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	REA001 - Northeast	Channel Block	C
Submarket	0	Associated Frequencies (MHz)	000746.00000000-000757.00000000 000776.00000000-000787.00000000

Dates

Grant	09/11/2019	Expiration	06/13/2029
Effective	09/11/2019	Cancellation	

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:LicensingCompliance@VerizonWireless.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

EXHIBIT K

verizon

Network Engineering - UPNY
1275 John Street, Suite 100
West Henrietta, New York 14586

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.

EXHIBIT L

SITE NAME: Wilkinson and Lear
MDG Site #: 5000166416
ATTY/DATE: NP/ October 2023

LAND LEASE AGREEMENT

This Land Lease Agreement (the "Agreement") is made by and between Douglas Ferguson and Jacqueline Ferguson, with a mailing address of 9321 Wilkinson Road, Batavia, New York 14020 (together, "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 0 Wilkinson Road in the Town of Batavia, Genesee County, New York, Tax Map No. 16.-1-17.1 (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. INITIAL TERM. 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. EXTENSIONS. 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 [redacted] 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. Each year during the Term (including any extension terms), as of the anniversary of the Commencement Date, annual rent shall increase by 2% over the rent for the immediately preceding year.

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.

5. ACCESS/UTILITIES. LESSEE shall have the non-exclusive right of ingress and 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 ("Easement"), which shall be depicted on Exhibit "B". LESSEE may use the Easement and an additional 10 foot wide right-of-way shown on Exhibit "B" 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. CONDITION OF PROPERTY. LESSOR shall deliver the Premises to LESSEE in its condition as of the Effective Date. 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. GOVERNMENT APPROVALS. 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. LESSOR shall cooperate 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. TERMINATION. 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.

10. 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. INSURANCE. The Parties agree to maintain during the term of this Agreement the following insurance policies:

a. Commercial general liability in the amount of $2,000,000.00 per occurrence for bodily injury and property damage and $4,000,000.00 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.

Notwithstanding the foregoing, LESSOR hereby acknowledges that all portions of the Property within three hundred feet (300') of the Premises (hereinafter referred to as the "Insurance Buffer") are currently being used solely for agricultural, forestry or non-commercial purposes. In the event that the current use of the Insurance Buffer changes during the Term, LESSOR agrees that at such time and in the future, and at its own cost and expense, it will maintain the insurance as described above.

12. LIMITATION OF LIABILITY. 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 (585-553-8859), 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 which are below grade of the surrounding land/ground) 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. INTENTIONALLY OMITTED.

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. LESSOR'S TITLE. 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. NOTICE. 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: Douglas Ferguson and Jacqueline Ferguson
9321 Wilkinson Road
Batavia, New York 14020

LESSEE: Bell Atlantic Mobile Systems LLC
d/b/a Verizon Wireless
180 Washington Valley Road
Bedminster, New Jersey 07921
Attention: Network Real Estate

With a copy to: Basking Ridge Mail Hub
Attn: Legal Intake
One Verizon Way
Basking Ridge, NJ 07920

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. DEFAULT. 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.

23. 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. CASUALTY. 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. CONDEMNATION. 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.

26. 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).

27. 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. NON-DISCLOSURE. 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. MOST FAVORED LESSEE. 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.

30. 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:

Douglas Ferguson
Date: 11/08/2023

(JF)

Jacqueline Ferguson
Date: 11/08/2023

LESSEE:

Bell Atlantic Mobile Systems LLC
d/b/a Verizon Wireless

By: _____

Name: _____

Its: _____

Date: _____

EXHIBIT "A"

PROPERTY DESCRIPTION

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND, situate in the Town of Batavia, Genesee County, New York, distinguished by being part of Lots 7 and 9, Section 12, Township 12, Range 2 of the Holland Purchase described as follows:

Being all that part of the lands conveyed to Michael J. Judge and Hannah T. Judge, his wife by Mary Agnes King formerly Mary Agnes McManus, by deed dated April 6, 1922, recorded April 10, 1922 in the Genesee County Clerk's Office in Liber 249, Page 282 lying and situated on the south side of the lands of the Lehigh Valley Railway Company, formerly the Buffalo and Geneva Railway Company across the premises so conveyed to the said Michael J. Judge and Hannah T. Judge, his wife to which deed reference is hereby made for a more detailed description of the lands hereby conveyed, containing in all south of said Railway lands as now located about ten acres of land, more or less.

ALSO ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Batavia, County of Genesee and State of New York distinguished as the middle part of Lot No. 7 in the 12th Section of said Township bounded north on the south bounds of the lands of Amos Pierce and J. G. Russell 20 chains and 83 links west on the center of the highway 6 chains 25 links; south on the lands now or formerly owned by Lineus Sawens 20 chains and 89 links; and east on the west bounds of Lot No. 5, 6 chains 25 links containing 13 acres be the same more or less.

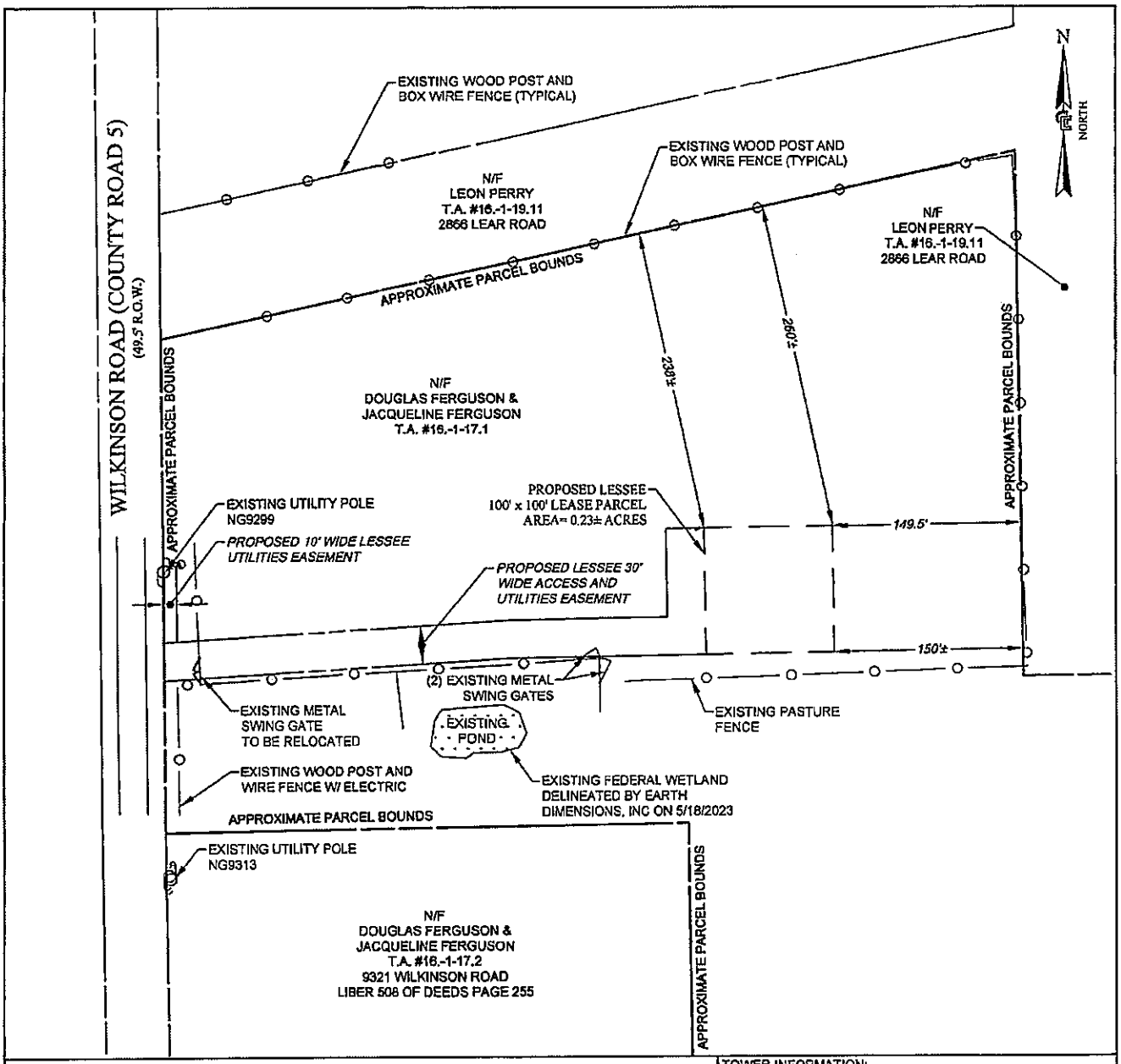
EXCEPTING AND RESERVING from the above described premises all of that portion thereof conveyed to Joseph H. Seweryniak and Patricia R. Seweryniak by deed recorded in the Genesee County Clerk's Office on March 9, 1971 in Liber 414 of Deeds at page 96.

ALSO EXCEPTING AND RESERVING therefrom all that tract or parcel of land being simultaneously herewith conveyed to Douglas Ferguson and Jacqueline Ferguson by deed recorded in the Genesee County Clerk's Office on March 21, 1986 in Liber 508 of Deeds at page 255.

EXHIBIT "B"

PREMISES DESCRIPTION

[Site Plan attached]



NOTES:
1. LESSOR SHALL GRANT THE NECESSARY LEASE PARCEL; INGRESS/ EGRESS AND UTILITY CABLING EASEMENTS FOR THE PROPOSED LESSEE WIRELESS TELECOMMUNICATIONS FACILITY. THIS SITE LAYOUT (LEASE PARCEL AND EASEMENT LOCATIONS) MAY BE SUBJECT TO CHANGE BY MUTUAL AGREEMENT OF BOTH PARTIES (LESSEE & LESSOR), OR AS REQUIRED AS A RESULT OF THE ZONING APPROVAL PROCESS

TOWER INFORMATION:
SITE NAME: WILKINSON AND LEAR
PROJECT ID: 20222407274

OWNER APPROVAL

SIGNATURE DATE

GRAPHIC SCALE

0 60 120

(IN FEET)
1 inch = 120 ft.

NO.	DATE	COMMENT	BY
0	06/19/2023	ISSUED FINAL	R.D.L.
1	10/31/2023	LANDOWNER RE-ISSUED FINAL	R.C.C.

COSTICH ENGINEERING
• CIVIL ENGINEERING
• LAND SURVEYING
• LANDSCAPE ARCHITECTURE
217 LAKE AVENUE
ROCHESTER, NY 14608
(585) 458-3020

THIS PLAN IS FOR EXHIBIT PURPOSES ONLY AND SHALL NOT BE USED FOR CONSTRUCTION.

TITLE OF PROJECT:
WILKINSON AND LEAR

T/A #. 063.00-03-62.11 (TOWN OF BATAVIA, COUNTY OF GENESEE)
PROPERTY ADDRESS:
NORTH OF 9321 WILKINSON ROAD
BATAVIA, NEW YORK 14020
PROPERTY OWNER:
DOUGLAS FERGUSON & JACQUELINE FERGUSON
9321 WILKINSON DR
BATAVIA, NEW YORK 14020

TITLE OF DRAWING
LEASE EXHIBIT

C.E. JOB NUMBER: 8811

SHEET NUMBER: LE002 1 of 1

EXHIBIT M

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 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless - Wilkinson and Lear Wireless Telecommunications Facility		
Project Location (describe, and attach a general location map): North of 9321 Wilkinson Rd. Batavia, NY 14020, Town of Batavia, Genesee County (T.A.#16.-1-17.1 (15 acres per tax map)		
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 wireless telecommunications facility. The facility will consist of a 154' monopole (with proposed 4' lightning rod) that will support a Verizon Wireless antenna array at 150' AGL; ground based improvements include a proposed 11'x12.5' concrete slab with proposed equipment cabinets and 10'x'12 ice canopy, cable bridge, diesel standby generator enclosed by a 50'x47.5', 7' tall chain link fence with a 1' barbed wire top. The compound, proposed tower, wireless telecommunications equipment, and meter board are all to be located within a 100'x100' lease area. Access to the site will utilize a proposed 12' wide gravel driveway off of Wilkinson Road (County Road 5) to the proposed tower location.		
Name of Applicant/Sponsor: Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless	Telephone: 315-569-9484 E-Mail: dmorrison@pyramidns.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): Nixon Peabody, LLP - Jared Lusk	Telephone: 585-263-1140 E-Mail: jlusk@nixonpeabody.com	
Address: 1300 Clinton Square		
City/PO: Rochester	State: NY	Zip Code: 14604
Property Owner (if not same as sponsor): Douglas Ferguson	Telephone: E-Mail:	
Address: 9321 Wilkinson Road		
City/PO: Batavia	State: NY	Zip Code: 14020

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	**If Yes: Identify Agency and Approval(s) Required**	**Application Date (Actual or projected)**
a. City Counsel, Town Board, or Village Board of Trustees ☐Yes☐No		
b. City, Town or Village Planning Board or Commission ☑Yes☐No	Town of Batavia Planning Board - Site Plan Approval & Special Use Permit	May 2024
c. City, Town or Village Zoning Board of Appeals ☐Yes☐No		
d. Other local agencies ☐Yes☐No		
e. County agencies ☑Yes☐No	Genesee County Driveway Permit	Summer 2024
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 Waterway? ☐Yes☑No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes☑No
iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes☑No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☐Yes☑No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐Yes☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐Yes☑No
If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☑Yes☐No
If Yes, identify the plan(s):
Genesee County Agriculture & Farmland Protection Plan Update - May 2017; Town of Batavia Agriculture & Farmland Protection Plan - December 2011

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
AG-R (Agricultural-Residential)

b. Is the use permitted or allowed by a special or conditional use permit? ☑ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Pembroke School District

b. What police or other public protection forces serve the project site?
Genesee County Sheriff's Department, NYS Police

c. Which fire protection and emergency medical services serve the project site?
Town of Batavia Fire Department; Rural Metro

d. What parks serve the project site?
N/A

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, include all components)? Proposed Wireless Telecommunications Facility

b. a. Total acreage of the site of the proposed action? 15 acres
b. Total acreage to be physically disturbed? 0.53 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.57 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: 3 months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐Yes ☑No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☑Yes ☐No

If Yes,

i. Total number of structures 1

ii. Dimensions (in feet) of largest proposed structure: 154' height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: N/A square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes ☑No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐Yes ☑No

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes ☐No

If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐Yes ☐No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes ☑No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

_____

_____

_____

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes ☐No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- 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

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes ☐No

If Yes:

- 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? ☐Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

_____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐No

If, Yes:

- 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 all components and approximate volumes or proportions of each): _____

_____

_____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes ☐No

If Yes:

- 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
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No

- 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. Will 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? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐Yes ☑No

If Yes:

i. How 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. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, 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. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐Yes ☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☑Yes ☐No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

Construction equipment

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

N/A

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

Diesel standby generator

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes ☑No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☐No

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)? ☐Yes ☑No

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 generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

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? ☐Yes ☑No

If Yes:

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 trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☑Yes ☐No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: 70,000 kwh

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): local utility

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:

- Monday - Friday: 7am - 6pm
- Saturday: 7am - 6pm
- Sunday: N/A
- Holidays: N/A

ii. During Operations:

- Monday - Friday: 24 Hours
- Saturday: 24 Hours
- Sunday: 24 Hours
- 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

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:

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

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) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored _____

ii. 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, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

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)? ☐ Yes ☑ No

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 modification of a solid waste management 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-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

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 project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☑ Rural (non-farm)
☐ Forest ☑ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	.23 +/-	.23 +/-
• Forested	.15 +/-	.15 +/-	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)	13.96 +/-	13.73 +/-	.23 +/-
• Surface water features (lakes, ponds, streams, rivers, etc.)	.06 +/-	.06 +/-	0
• Wetlands (freshwater or tidal)	.83 +/-	.83 +/-	0
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐Yes ☑No

i. If Yes: explain: _____

d. 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? ☐Yes ☑No

If Yes,

i. Identify Facilities:

_____

_____

e. Does the project site contain an existing dam? ☐Yes ☑No

If Yes:

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:

_____

_____

f. 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

If 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:

_____

_____

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? ☐Yes ☑No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

_____

h. 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

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 ☐No

☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database — Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

_____

_____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐Yes ☑No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

_____

_____

v. Is the project site subject to an institutional control limiting property uses? ☐Yes ☑No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering 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 ☑No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

MoB-Mohawk channery silt loam	41 %
MhB-Manheim silt loam	29 %
MoC-Mohawk channery silt loam	19 %

d. What is the average depth to the water table on the project site? Average: 0.5-2 feet

e. Drainage status of project site soils:
☑ Well Drained: 50 % of site
☐ Moderately Well Drained: _____ % of site
☑ Poorly Drained 50 % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 85 % of site
☑ 10-15%: 15 % of site
☐ 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? ☐Yes ☑No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑Yes ☐No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑Yes ☐No

If Yes to either *i* or *ii*, 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, state or local agency? ☑Yes ☐No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters Approximate Size 0.91
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐Yes ☑No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

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

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐Yes ☑No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site:
small mammals birds

n. Does the project site contain a designated significant natural community? ☐Yes ☑No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation):
ii. Source(s) of description or evaluation:
iii. Extent of community/habitat:
- Currently: acres
- Following completion of project as proposed: acres
- Gain or loss (indicate + or -): acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐Yes ☑No
If Yes:
i. Species and listing (endangered or threatened):

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐Yes ☑No
If Yes:
i. Species and listing:

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐Yes ☑No
If yes, give a brief description of how the proposed action may affect that use:

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☑Yes ☐No
If Yes, provide county plus district name/number: GENE001

b. Are agricultural lands consisting of highly productive soils present? ☑Yes ☐No
i. If Yes: acreage(s) on project site? 6.1 acres
ii. Source(s) of soil rating(s): 2024 NEW YORK AGRICULTURAL LAND CLASSIFICATION - GENESEE - JANUARY 1, 2024

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☑No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐Yes ☑No
If Yes:
i. CEA name:
ii. Basis for designation:
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 Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☑ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

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) archacological site inventory? ☐ Yes ☑ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☑ No

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 scenic byway, etc.): _____

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? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

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 impacts plus any measures which you propose to avoid or minimize them.

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 March 19, 2024

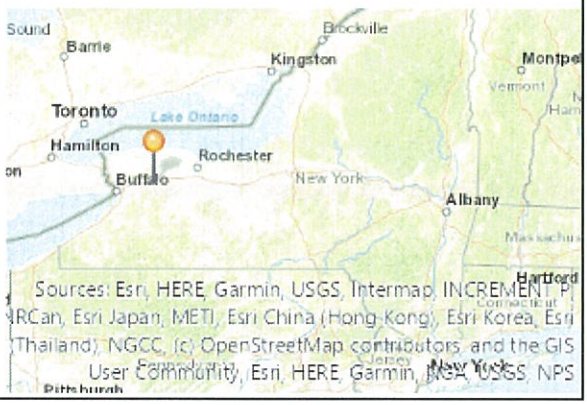
Signature David A. Weisenreder, P.E. Title Project Engineer, Costich Engineering, DPC

PRINT FORM

EAF Mapper Summary Report

Tuesday, March 19, 2024 11:34 AM

Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
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 - Wetlands Name]	Federal Waters
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.l. [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]	GENE001
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]	No
E.3.i. [Designated River Corridor]	No

14-14-11 (9/95)-9c

617.20
Appendix B
State Environmental Quality Review
Visual EAF Addendum

SEQR

Wilkinson and Lear
Project No 8811
3/25/2024

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	**Distance Between Project and Resource (in Miles)**				
1. 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 man-made 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

3. Are any of the resources checked in questions 1 used by the public during the time of year during which the project will be visible?
■ Yes ☐ No

DESCRIPTION OF EXISTING VISUAL ENVIRONMENT

4. From each item checked in questions 1, check those which generally describe the surrounding environment.

	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	■ No *
* 1 mile	☐ Yes	■ No *
* 1 ½ miles	■ Yes	☐ No *
* 3 miles	■ Yes	☐ No *

* Distance from project site are provided for assistance. Substitute other distances as appropriate.

EXPOSURE

6. The annual number of viewers likely to observe the proposed project is **16,425***

NOTE: When user data is unavailable or unknown, use best estimate.

CONTEXT

7. The situation or activity in which the viewers are engaged while viewing the proposed action is

Activity	**FREQUENCY**			
	Daily	**Weekly**	**Holidays/ 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

1P.) County Roads

County Road(s)	Distance Between Project & Resource (Miles)	County Road(s)	Distance Between Project & Resource (Miles)
CR 5, Wilkinson Rd.	0.29 – 0.5		

1S.) Local Roads

Local Road(s)	Distance Between Project & Resource (Miles)	Local Road(s)	Distance Between Project & Resource (Miles)
Lear Rd.	0.29 – 0.5	Upton Rd.	0.92 – 0.5
Rose Rd.	1.08 – 1.3	Pike Rd.	0.87 – 1.01
Brown Rd.	0.33 – 1.5	Ridge Rd.	1.1 – 1.2
Richley Rd.	1.0 – 1.2		

Area		= **Est. # of Viewers**
Estimate Traffic Wilkinson Rd.	643 x 7%	= 45

Total Average Daily Viewers = 45
x 365 days per year

Total Estimated Viewers per Year = ***16,425 / year***

EXHIBIT N

AGRICULTURAL DATA STATEMENT

(pursuant to NY Ag & Mkt Law 305-a; N.Y. Town Law & 283-a;
N.Y. Village Law § 7-739 and N.Y. Gen. Mun. Law 239-m)

Applicant		Owner (if different from applicant)	
Name:	Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless	Name:	Douglas Ferguson
Address:	1275 John Street, Suite 100 West Henrietta, NY 14586	Address:	9321 Wilkinson Road Batavia, NY 14020

1. Type of Application:
   - ☒ Special Use Permit
   - ☒ Site Plan Approval
   - ☐ Height Variance(s)
   - ☐ Use Variance
   - ☐ Subdivision Approval

2. Description of proposed project: Construction and operation of a 154′ wireless telecommunications facility (plus 4′ lightning rod) and associated improvements.

3. Location of proposed project: North of 9321 Wilkinson Road

4. List all farm operations which are both: (i) located within 500 feet of the boundary of the property upon which the project is proposed, and (ii) located in an agricultural district:

   SEE ATTACHED

5. Attach a tax map or other map showing the site of the proposed project relative to the location of farm operations identified above. **SEE ATTACHED**

Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless

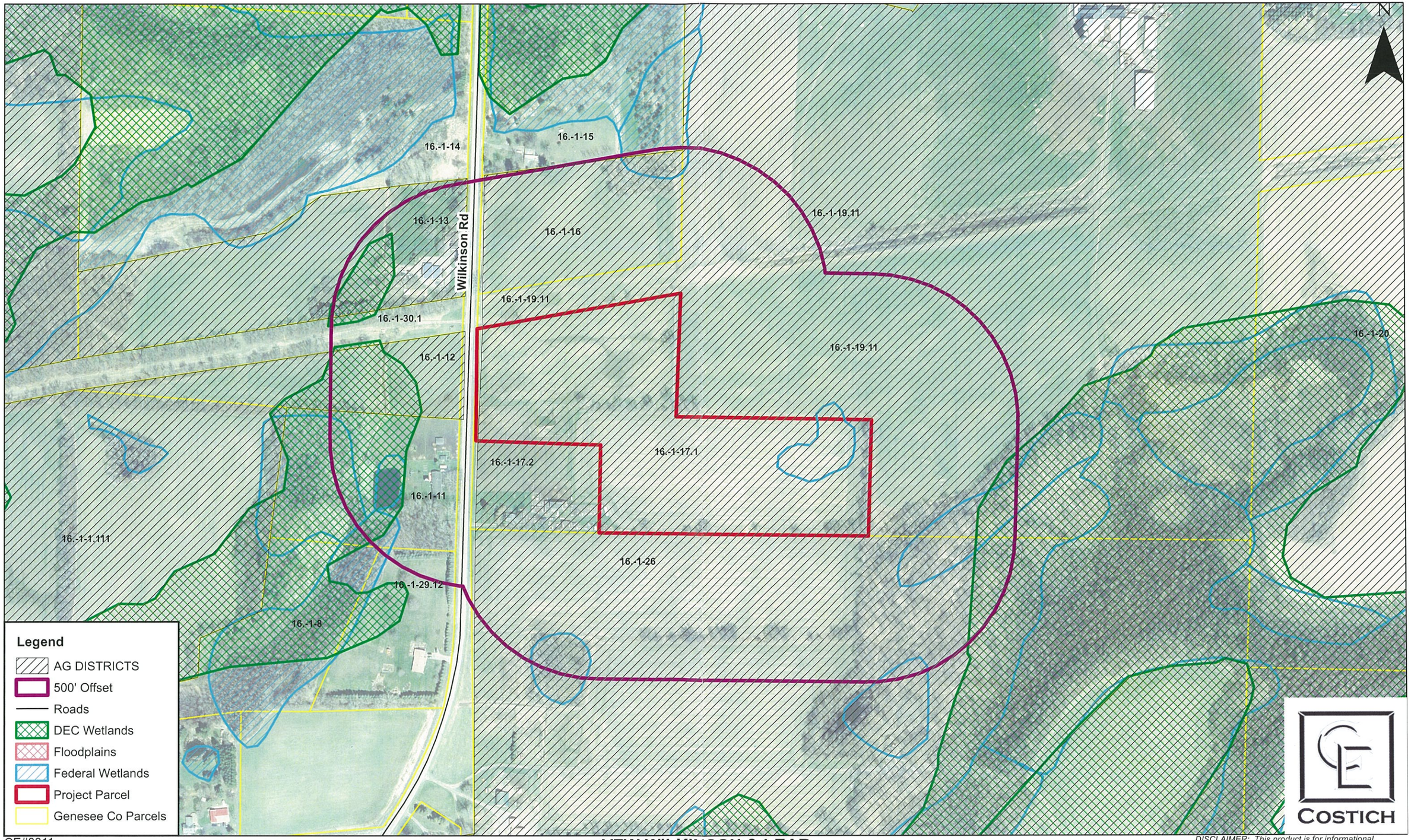
By: Nixon Peabody LLP, its attorneys

By: _____
Jared C. Lusk

VZW - WILKINSON LEAR CE#8811

LIST OF ADJOINERS WITHIN 500' OF TA#16.-1-17.1 (HIGHLIGHTED PARCELS ***NOT*** IN AG DISTRICT) 3/19/2024

TA#	OWNER NAME	MAILING ADDRESS	CITY	STATE	ZIP
16.-1-14	SCOTT STRANG	9212 WILKINSON RD	BATAVIA	NY	14020
16.-1-15	DANIELLE GROSS	7032 LEWISTON RD	OAKFIELD	NY	14125
16.-1-13	JANICE SEWERYNIAK	9371 WILKINSON RD	BATAVIA	NY	14020
16.-1-19.11	LEON PERRY	2866 LEAR RD	BATAVIA	NY	14020
16.-1-12	DAVID HORNING	9320 WILKINSON RD	BATAVIA	NY	14020
16.-1-11	DAVID HORNING	9320 WILKINSON RD	BATAVIA	NY	14020
16.-1-29.12	KATELYN JENSEN	9324 WILKINSON RD	BATAVIA	NY	14020
16.-1-26	KATHRYN SEWERYNIAK REVOCABLE TRUST	9371 WILKINSON RD	BATAVIA	NY	14020
16.-1-17.2	DOUGLAS FERGUSON	9321 WILKINSON RD	BATAVIA	NY	14020
16.-1-30.1	DAVID HORNING	9320 WILKINSON RD	BATAVIA	NY	14020
16.-1-1-8	BRAD RYKERT	2689 BROWN RD	CORFU	NY	14036
16.-1-16	JANICE SEWERYNIAK	9371 WILKINSON RD	BATAVIA	NY	14020



CE#8811
3/19/2024

0 300 600 Feet

VZW-WILKINSON & LEAR
TOWN OF BATAVIA/GENESEE COUNTY
AG ADJOINER EXHIBIT

COSTICH

DISCLAIMER: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

EXHIBIT O

(See Exhibit Q for revised plans - County Planning Staff)

EXHIBIT P

COSTICH

Project No. 8811

March 27, 2024

Margaret Hayes
Verizon Wireless
1275 John Street, Suite 100
West Henrietta, NY 14586

RE: Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless – Wilkinson and Lear
PROJECT ID# 17084811 /MDG LOCATION ID: 5000166416
North of 9321 Wilkinson Road, Town of Batavia, Genesee County

Dear Ms. Hayes,

For the Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless Wilkinson and Lear Telecommunications Facility, a 154' monopole tower constructed of galvanized steel, with a 4' lighting rod is proposed. The tower is to be located within a 100' x 100' lease parcel area and shall be designed to support a total of (3) cellular carriers. The tower shall be designed to support this loading with a 109 mph basic wind speed (no ice) and 2.0 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 +/- 180' from the closest property line and therefore meets the Town minimum tower setback requirement of overall tower height.

If you have any questions feel free to contact me.

Respectfully submitted,

Costich Engineering, D. P.C.

David A. Weisenreder, P.E.

H:\job\8811\Documents\Specifications\Zoning Materials\Wilkinson and Lear 8811_ Tower Design letter _ 20240327.docx

EXHIBIT Q

BELL ATLANTIC MOBILE SYSTEMS LLC
d/b/a

verizon

SITE NAME: WILKINSON AND LEAR
ZONING DRAWINGS

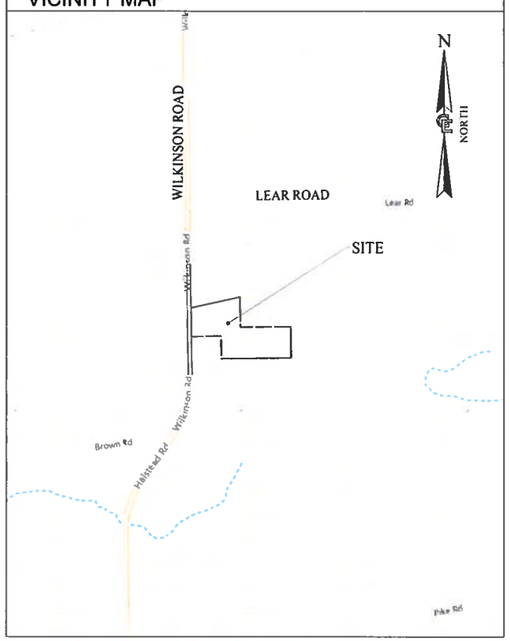
PROJECT ID: 17084811
MDG LOCATION ID: 5000166416
WBS PROJECT #: VZ-00214560

TOWN OF BATAVIA:

PLANNING BOARD CHAIR _____ DATE _____

TOWN ENGINEER _____ DATE _____

VICINITY MAP



PROJECT SUMMARY/DIRECTORY

SITE ADDRESS:	NORTH OF 9321 WILKINSON ROAD
	BATAVIA, NEW YORK 14020
MUNICIPALITY:	TOWN OF BATAVIA
COUNTY:	GENESEE
TAX MAP NUMBER:	16.-1-17.1 (15.0 ACRES PER TAX MAP)
ZONING DISTRICT:	AG-R (AGRICULTURAL-RESIDENTIAL)
TOWER SETBACK REQ.:	TOWER HEIGHT (154')
LATITUDE:	42.963511° (42° 57' 48.64"N) } PER REF. #8
LONGITUDE:	-78.297616° (78° 17' 51.42"W) } PER REF. #8
BASE ELEVATION:	908.3'± AMSL
PROPERTY OWNER:	DOUGLAS FERGUSON
	9321 WILKINSON RD
	BATAVIA, NEW YORK 14020
TOWER OWNER/APPLICANT:	BELL ATLANTIC MOBILE SYSTEMS, LLC
	d/b/a VERIZON WIRELESS
	1275 JOHN STREET, SUITE 100
	WEST HENRIETTA, NY 14586
CONTACT:	MAGGIE HAYES
PHONE:	(585)-321-5390
LIMITS OF DISTURBANCE:	0.53 ACRES

PROJECT SUMMARY/DIRECTORY

SHEET #	DESCRIPTION	REV NO	REVISION DATE
GA001	TITLE SHEET	5	05/14/2024
GA002	GENERAL NOTES	5	05/14/2024
VA100	SCHEMATIC TOTAL HOLDINGS	5	05/14/2024
VA101	SURVEY PLAN	5	05/14/2024
VA110	SURVEY NOTES AND DESCRIPTIONS	5	05/14/2024
CA100	OVERALL SITE PLAN	5	05/14/2024
CA110	COMPOUND PLAN	5	05/14/2024
CA120	GRADING AND EROSION CONTROL PLAN	5	05/14/2024
CA500	TOWER ELEVATION, ORIENTATION AND RF INFO	5	05/14/2024
CA501	EQUIPMENT ELEVATIONS	5	05/14/2024
CA502	SITE DETAILS	5	05/14/2024
CA503	GRADING AND EROSION CONTROL DETAILS	5	05/14/2024
CA504	GRADING AND EROSION CONTROL DETAILS	5	05/14/2024

UTILITY PROVIDERS

ELECTRIC PROVIDER:	NATIONAL GRID
ESR #:	TBD
ACCOUNT #:	TBD
PLANNER:	TBD
PHONE:	TBD
FIBER:	TBD
PLANNER:	TBD
PHONE:	TBD

DIG SAFELY - NEW YORK

UDIG·NY 811

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 than two working days notice, but not more than ten 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

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

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

COSTICH ENGINEERING
• CIVIL ENGINEERING
• LAND SURVEYING
• LANDSCAPE ARCHITECTURE
217 LAKE AVENUE
ROCHESTER, NY 14608
(585) 458-3020

NO.	DATE	COMMENTS
0	06/02/2023	ISSUED PRELIMINARY FOR REVIEW
1	12/13/2023	ADDED GAS LINE LOCATION PER FIELD SURVEY
2	12/20/2023	UPDATED VZW EQUIPMENT AND ADDED GENERATOR
3	03/29/2024	ISSUED FINAL
4	05/09/2024	ADDED SETBACK TABLE, SIGNATURE BLOCK & TOPSOIL NOTE
5	05/09/2024	ADDED LOT COVERAGE INFORMATION

STATE OF NEW YORK · MICHAEL O RITCHEY · 096184 · LICENSED PROFESSIONAL ENGINEER

PROJECT MANAGER: D.A.W.
DRAWN BY: R.D.L.

SITE INFORMATION

WILKINSON AND LEAR
PROJECT ID: 20222407274
LOCATION CODE: 678299

TOWN OF BATAVIA
COUNTY OF GENESEE
STATE OF NEW YORK

SHEET TITLE

TITLE SHEET

C.E. JOB NUMBER: 8811

SHEET NUMBER: GA001

SHEET 01 OF 13

LEGEND

- SECTION/PARCEL BOUNDARY
- MIN. BUILDING SETBACK
- CENTER LINE
- EXIST. RIGHT-OF-WAY LINE
- EXISTING EASEMENT LINE.
- EXIST. CONCRETE CURB
- EXIST. EDGE OF PAVEMENT
- EXIST. EDGE OF GRAVEL
- EXISTING WATER MAIN, VALVE, & HYDRANT.
- EXISTING SANITARY SEWER, & MANHOLE.
- EXISTING DRAINAGE SEWER, FIELD INLET, INLET MANHOLE, MANHOLE, & END SECTION.
- EXISTING OVERHEAD UTILITIES
- EXISTING TELEPHONE
- EXISTING UNDERGROUND UTILITIES
- EXISTING GAS
- EXISTING ELECTRIC
- EXISTING WATER LINE
- EXISTING ELEC & TELE
- EXISTING CABLE TV
- EXISTING FIBER
- EXISTING LIGHT CONTROL
- EXISTING GUARD RAIL
- TREE,HEDGE,EDGE OF WOODS
- EXISTING SWALE
- BARBED WIRE,STOCKADE, CHAIN LINKED FENCE
- 410 EXISTING CONTOUR
- x 420.4 EXISTING SPOT ELEVATION @ X
- CONCRETE PAD/ CONCRETE SIDEWALK
- PROPOSED EASEMENT LINE.
- PROPOSED CONCRETE CURB
- PROPOSED WATER MAIN, VALVE, & HYDRANT
- PROPOSED SANITARY SEWER, & MANHOLE.
- PROPOSED DRAINAGE SEWER, FIELD INLET, INLET MANHOLE, MANHOLE, & END SECTION.
- PROPOSED OVERHEAD UTILITIES
- PROPOSED TELEPHONE
- PROPOSED UNDERGROUND UTILITIES
- PROPOSED GAS SERVICE
- PROPOSED ELECTRIC SERVICE
- PROPOSED ELEC & TELE
- PROPOSED SILT FENCE
- PROPOSED ORANGE CONSTRUCTION FENCE
- PROPOSED LIMITS OF DISTURBANCE
- PROPOSED COMPOST FILTER SOCK

SITE NOTES

1. ALL SITE WORK SHALL BE AS INDICATED ON THE DRAWINGS.
2. RUBBISH, STUMPS, DEBRIS, STICKS, STONES AND OTHER REFUSE SHALL BE REMOVED FROM THE SITE AND DISPOSED OF LEGALLY.
3. THE SITE SHALL BE GRADED TO CAUSE SURFACE WATER TO FLOW AWAY FROM THE PROPOSED PLATFORM.
4. NO FILL OR EMBANKMENT MATERIAL SHALL BE PLACED ON FROZEN GROUND. FROZEN MATERIALS, SNOW OR ICE SHALL NOT BE PLACED IN ANY FILL OR EMBANKMENT.
5. THE SUBGRADE SHALL BE COMPACTED AND BROUGHT TO A SMOOTH UNIFORM GRADE PRIOR TO FINISHED SURFACE APPLICATION.
6. ALL EXISTING ACTIVE SEWER, WATER, GAS, ELECTRIC, AND OTHER UTILITIES WHERE 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 ENGINEER. EXTREME CAUTION SHOULD BE USED BY THE CONTRACTOR WHEN EXCAVATING OR PIER DRILLING AROUND OR NEAR UTILITIES.
7. 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.
8. THE AREAS OF THE OWNERS PROPERTY DISTURBED BY THE WORK SHALL BE GRADED TO A UNIFORM SLOPE, FERTILIZED, SEEDED, AND COVERED WITH MULCH.
9. 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.
11. 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 RESTORED 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 INTERRUPTION IN SAID SERVICE, HE SHALL IMMEDIATELY COMMENCE WORK TO RESTORE SERVICE AND MAY NOT CONTINUE HIS WORK OPERATION UNTIL SERVICE IS RESTORED.

GENERAL NOTES

1. ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE 2018 INTERNATIONAL BUILDING CODE (IBC), 2020 BUILDING CODE OF NEW YORK STATE, THE NATIONAL ELECTRIC SAFETY CODE AND OTHER APPLICABLE LOCAL, STATE AND FEDERAL CODES..
2. CONTRACTOR SHALL VISIT THE JOB SITE AND FAMILIARIZE HIMSELF WITH ALL CONDITIONS AFFECTING THE PROPOSED WORK AND MAKE PROVISIONS AS TO THE COST THEREOF. CONTRACTOR SHALL BE RESPONSIBLE FOR FAMILIARIZING HIMSELF WITH ALL CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS AND CONFIRMING THAT THE WORK MAY BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO THE COMMENCEMENT OF WORK.
3. PLANS ARE NOT TO BE SCALED. THESE PLANS ARE INTENDED TO BE A DIAGRAMMATIC OUTLINE ONLY, UNLESS OTHERWISE NOTED. THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES, AND LABOR NECESSARY TO EFFECT ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
4. DIMENSIONS SHOWN ARE TO FINISH SURFACES, UNLESS OTHERWISE NOTED. SPACING BETWEEN EQUIPMENT IS REQUIRED CLEARANCE. THEREFORE, IT IS CRITICAL TO FIELD VERIFY DIMENSIONS. SHOULD THERE BE ANY QUESTIONS REGARDING THE CONTRACT DOCUMENTS, EXISTING CONDITIONS AND/OR DESIGN INTENT, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A CLARIFICATION FROM THE CARRIER'S AUTHORIZED REPRESENTATIVE OR THE ENGINEER PRIOR TO PROCEEDING WITH THE WORK.
5. DETAILS ARE INTENDED TO SHOW END RESULT OF DESIGN. MINOR MODIFICATIONS MAY BE REQUIRED TO SUIT JOB DIMENSIONS OR CONDITIONS, AND SUCH MODIFICATIONS SHALL BE INCLUDED AS PART OF THE WORK.
6. CONTRACTOR SHALL RECEIVE CLARIFICATION IN WRITING, AND SHALL RECEIVE IN WRITING AUTHORIZATION TO PROCEED BEFORE STARTING WORK ON ANY ITEMS NOT CLEARLY DEFINED OR IDENTIFIED BY THE CONTRACT DOCUMENTS.
7. CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER OF ALL PRODUCTS OR ITEMS NOTED AS "EXISTING" WHICH ARE NOT FOUND TO BE IN THE FIELD.
8. CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK USING THE BEST CONSTRUCTION SKILLS AND ATTENTION. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, PROCEDURES, AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER CONTRACT, UNLESS OTHERWISE NOTED.
9. ERECTION SHALL BE DONE IN A WORKMANLIKE MANNER BY COMPETENT EXPERIENCED WORKMEN IN ACCORDANCE WITH APPLICABLE CODES AND THE BEST ACCEPTED PRACTICE. ALL MEMBERS SHALL BE LAID PLUMB AND TRUE AS INDICATED ON THE DRAWINGS.
10. CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF THE WORK AREA, ADJACENT AREAS, AND BUILDING OCCUPANTS THAT ARE LIKELY TO BE AFFECTED BY THE WORK UNDER THIS CONTRACT. WORK SHALL CONFORM TO ALL OSHA REQUIREMENTS.
11. CONTRACTOR SHALL COORDINATE HIS WORK AND SCHEDULE HIS ACTIVITIES AND WORKING HOURS IN ACCORDANCE WITH THE REQUIREMENTS OF THE OWNER.
12. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING HIS WORK WITH THE WORK OF OTHERS AS IT MAY RELATE TO RADIO EQUIPMENT, ANTENNAS AND ANY OTHER PORTIONS OF THE WORK.
13. CONTRACTOR SHALL MAINTAIN LIABILITY INSURANCE TO PROTECT THE OWNER AND CARRIER.
14. INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY INDICATED OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.
15. MAKE NECESSARY PROVISIONS TO PROTECT EXISTING SURFACES, EQUIPMENT, IMPROVEMENTS, PIPING, ANTENNA AND ANTENNA CABLES. REPAIR ANY DAMAGE THAT OCCURS DURING CONSTRUCTION.
16. REPAIR ALL EXISTING SURFACES DAMAGED DURING CONSTRUCTION SUCH THAT THEY MATCH AND BLEND WITH ADJACENT SURFACES.
17. KEEP CONTRACT AREA CLEAN, HAZARD FREE, AND DISPOSE OF ALL DEBRIS AND RUBBISH. EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY OF THE OWNER SHALL BE REMOVED. LEAVE PREMISES IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST, OR SMUDGES OF ANY NATURE. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL ITEMS UNTIL COMPLETION OF CONSTRUCTION.
18. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD PRIOR TO FABRICATION AND ERECTION OF ANY MATERIAL. ANY UNUSUAL CONDITIONS SHALL BE REPORTED TO THE ATTENTION OF THE ENGINEER.
19. CONTRACTOR SHALL SECURE ALL NECESSARY BUILDING PERMITS AND INSPECTIONS AND PAY ALL REQUIRED FEES.
20. PROVIDE A PORTABLE FIRE EXTINGUISHER WITH A RATING OF NOT LESS THAN 2-A OR 2-A/10-BC WITHIN 75 FEET TRAVEL DISTANCE TO ALL PORTIONS OF THE BUILDOUT AREA DURING CONSTRUCTION.
21. ALL BROCHURES, OPERATING AND MAINTENANCE MANUALS, CATALOGS, SHOP DRAWINGS AND OTHER DOCUMENTATION SHALL BE TURNED OVER TO CARRIER AT COMPLETION OF CONSTRUCTION.
22. COMPLETE JOB SHALL BE GUARANTEED FOR A PERIOD OF ONE (1) YEAR AFTER THE DATE OF ACCEPTANCE BY CARRIER. ANY WORK, MATERIALS, OR EQUIPMENT FOUND TO BE DEFECTIVE DURING THAT PERIOD SHALL BE CORRECTED IMMEDIATELY UPON WRITTEN NOTIFICATION AT NO ADDITIONAL COST TO CARRIER.
23. RIGGING OPERATIONS SHALL BE DONE IN ACCORDANCE WITH STATE AND FEDERAL SAFETY REGULATIONS (OSHA). COSTICH ENGINEERING, CARRIER AND THE OWNER SHALL BE HELD HARMLESS IN THE EVENT THE CONTRACTOR DOES NOT FOLLOW SUCH SAFETY REGULATIONS.
24. CONTRACTOR SHALL PROVIDE ACCESS TO THE SITE AND ASSIST THE RADIO EQUIPMENT VENDOR AND THE ANTENNA INSTALLATION CONTRACTOR AS THEY MAY REQUIRE.

SOIL AND EROSION CONTROL NOTES

1. TEMPORARY SEDIMENTATION ENTRAPMENT AREAS SHALL BE PROVIDED AT KEY LOCATIONS TO INTERCEPT AND CLARIFY SILT LADEN RUNOFF FROM THE SITE.
2. SILT THAT LEAVES THE SITE IN SPITE OF THE REQUIRED PRECAUTIONS SHALL BE COLLECTED AND REMOVED AS DIRECTED BY APPROPRIATE MUNICIPAL AUTHORITIES.
3. AT THE COMPLETION OF THE PROJECT, ALL TEMPORARY SILTATION DEVICES SHALL BE REMOVED AND THE AFFECTED AREAS REGRADED, OR TREATED IN ACCORDANCE WITH THE APPROVED SITE PLANS.
4. ALL SEDIMENTATION ENTRAPMENT STRUCTURES WILL BE INSPECTED AND MAINTAINED ON A REGULAR BASIS.
5. CONTRACTOR TO INSTALL EROSION CONTROL MEASURES (SILT FENCE AND/ OR COMPOST FILTER SOCKS) AROUND AREAS BEING DISTURBED DURING CONSTRUCTION AND AS NECESSARY.
6. CONTRACTOR TO INSTALL SILT FENCE OR COMPOST FILTER SOCKS DOWNSLOPE OF ALL UTILITY TRENCHES.
7. 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 WETLANDS.

7.1. 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 PERMITTED.

7.2. 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 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.

7.3. 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 CONTROL.

7.4. 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).

7.5. ALL SOIL EROSION AND SEDIMENTATION CONTROL MEASURES SHOWN ON THIS PLAN 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).

7.6. 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 FUNCTIONING.

7.7. ALL DRAINAGE STRUCTURES AND ANY OTHER REQUIRED UTILITY APPURTENANCES SHALL BE INSTALLED AS REQUIRED BY TOWN SPECIFICATIONS AND AS SHOWN ON THESE PLANS.

7.8. IF THE APPLICANT, DURING THE COURSE OF CONSTRUCTION, ENCOUNTERS SUCH CONDITIONS AS FLOOD AREAS, UNDERGROUND WATER, SOFT OR SILTY AREAS, IMPROPER DRAINAGE, OR OTHER UNUSUAL CIRCUMSTANCES OR CONDITIONS THAT 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 THEREOF, OR ISSUE THEIR OWN SPECIFICATION FOR THE CORRECTION OF 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 SIMILARLY TREATED.

REFERENCES

1. TOPOGRAPHY SHOWN FROM A FIELD SURVEY BY COSTICH ENGINEERING ON 05/19/2023 HORIZONTAL AND VERTICAL DATA OBTAINED THROUGH NYSDOT CORS NETWORK REFERENCED TO THE FOLLOWING MONUMENT

   BATAVIA CORS STATION
   -LATITUDE: 42-59-17.96032 (N) NAD 83 (CORS)
   -LONGITUDE: 78-07-20.37562 (W)
   -ELLIP HEIGHT: 262.25 METERS NAVD 88 (CORS)
2. BOUNDARY SURVEY HAS NOT BEEN PERFORMED BY COSTICH ENGINEERING. BOUNDARY SHOWN HEREON IS APPROXIMATE AND DETERMINED BY LIMITED FIELD LOCATION OF BOUNDARY EVIDENCE, REVIEW OF TITLE COMMITMENT, IF PROVIDED, AND OVERLAY OF COUNTY TAX MAPS AND/OR COUNTY GIS MAPPING.
3. PER THE NYSDEC FRESHWATER WETLANDS MAP, THERE ARE STATE WETLANDS WEST OF THE PROJECT AREA.
4. PER THE NATIONAL WETLANDS INVENTORY MAPS, THERE ARE NO FEDERAL WETLANDS WITHIN 300' OF THE PROJECT AREA.
5. PER THE ERSI/FEMA PROJECT IMPACT HAZARD INFORMATION AND AWARENESS SITE MAP THERE IS NO 100 YR. FLOOD PLAIN IN THE PROJECT AREA.
6. WETLAND DELINEATION REPORT PREPARED BY EARTH DIMENSIONS, INC., HAVING PROJECT CODE W26D23, DATED MAY 30, 2023.
7. USG NATURAL GAS EXHIBIT ENTITLED WILKINSON ROAD.
8. 1A CERTIFICATION PREPARED BY COSTICH ENGINEERING, WITH JOB NUMBER 8811, HAVING AN EFFECTIVE DATE OF 06/07/2023.
9. STEWART TITLE INSURANCE COMPANY TITLE NO.71259403, HAVING AN EFFECTIVE DATE OF JULY 12, 2023

EROSION AND SEDIMENT CONTROL MEASURES

TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES

GENERAL MEASURES:

1. 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.
2. SITE PREPARATION ACTIVITIES SHALL BE PLANNED TO MINIMIZE THE SCOPE AND DURATION OF SOIL DISRUPTION.

PARTICULAR MEASURES:

1. DRAINAGE DITCH SEDIMENT FILTERS: DITCHES, SHALL RECEIVE CHECK DAMS WITH 2-9 INCH STONE MEETING NYS-DOT LIGHT STONE FILL REQUIREMENTS 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 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.
2. SILT FENCES AND COMPOST FILTER SOCKS SHALL BE CONSTRUCTED AROUND ALL 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 PERMANENTLY STABILIZED.
3. 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.
4. 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

1. PERMANENT AND TEMPORARY VEGETATIVE COVER: IMMEDIATELY FOLLOWING THE COMPLETION 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 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 7.0.

   C. FERTILIZER (5-10-10 MIXTURE OR EQUIVALENT) SHALL BE APPLIED PER SOIL TEST RESULTS OR AT A RATE OF 600 LBS PER ACRE.

   D. DISTURBED AREAS WHICH WILL REMAIN TEMPORARILY FALLOW FOR PERIODS GREATER 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.

   E. 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

   FOR MOWED AREAS:
   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 APPLYING 2 TONS 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 SHALL BE PULLED ACROSS SLOPES ALONG TOPOGRAPHIC CONTOURS.
2. ALL UNNECESSARY REMOVAL OF HEALTHY TREES SHALL BE AVOIDED. MATERIALS SHALL NOT BE STORED NOR MACHINERY OPERATED WITHIN THE DRIP-LINE OF THE TREES TO REMAIN.

MAINTENANCE OF EROSION AND SEDIMENT CONTROL MEASURES:

1. THE CONTRACTOR SHALL ON A DAILY BASIS INSPECT AND MAINTAIN THE INTEGRITY AND FUNCTION OF ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES THROUGHOUT THE DURATION OF THE CONSTRUCTION PROCESS.
2. 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.
3. 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 BARRIER.
4. 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.

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

COSTICH ENGINEERING
• CIVIL ENGINEERING
• LAND SURVEYING
• LANDSCAPE ARCHITECTURE
217 LAKE AVENUE ROCHESTER, NY 14608 (585) 458 3020

NO.	DATE	COMMENTS
0	06/02/2023	ISSUED PRELIMINARY FOR REVIEW
1	12/13/2023	ADDED GAS LINE LOCATION PER FIELD SURVEY
2	12/20/2023	UPDATED VZW EQUIPMENT AND ADDED GENERATOR
3	03/29/2024	ISSUED FINAL
4	05/09/2024	ADDED SETBACK TABLE, SIGNATURE BLOCK & TOPSOIL NOTE
5	05/09/2024	ADDED LOT COVERAGE INFORMATION

STATE OF NEW YORK · MICHAEL O. RITCHEY · 096184 · LICENSED PROFESSIONAL ENGINEER

PROJECT MANAGER: D.A.W.
DRAWN BY: R.D.L.

SITE INFORMATION

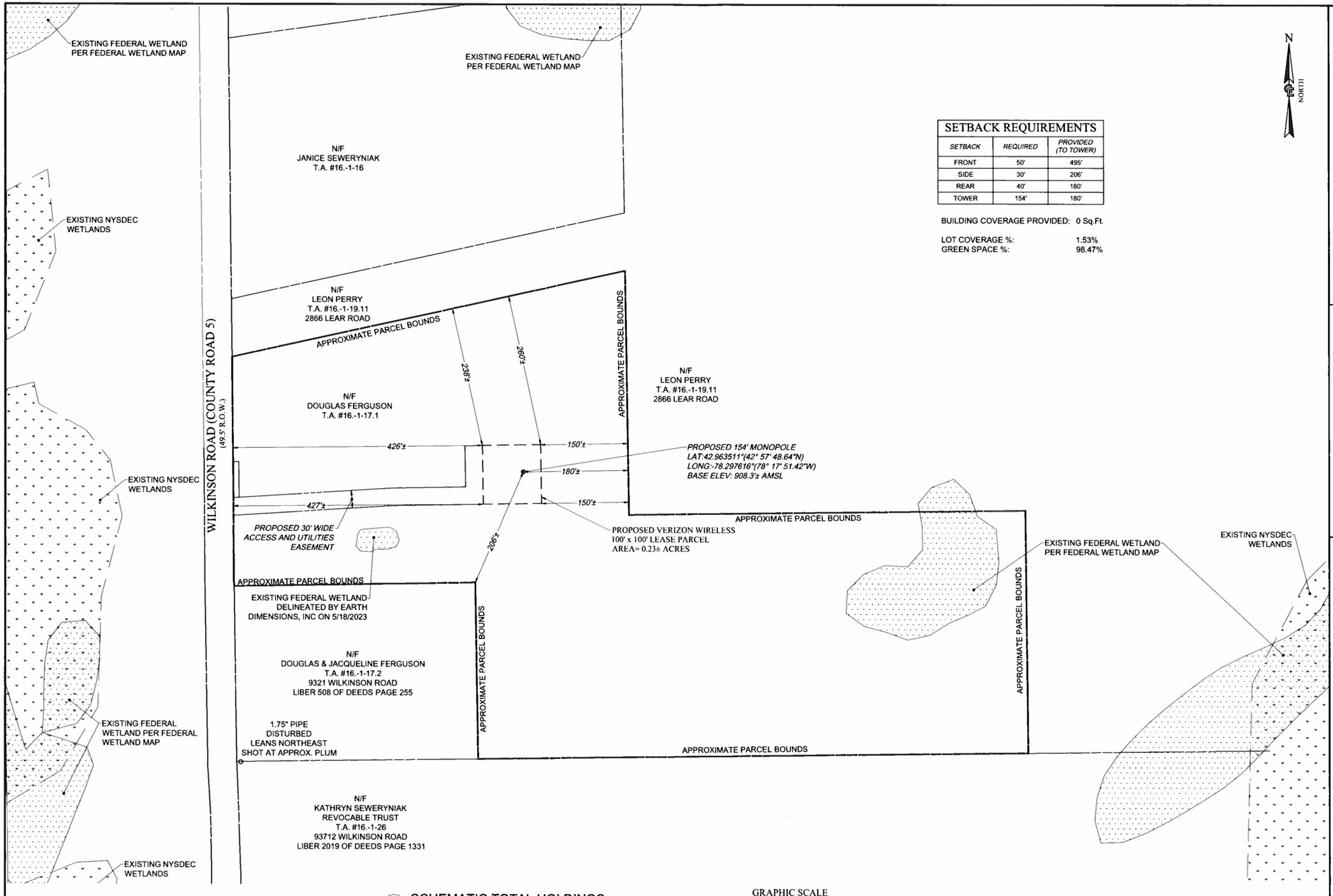
WILKINSON AND LEAR
PROJECT ID: 20222407274
LOCATION CODE: 678299

TOWN OF BATAVIA
COUNTY OF GENESEE
STATE OF NEW YORK

SHEET TITLE

GENERAL NOTES

C.E. JOB NUMBER: 8811
SHEET NUMBER: GA002
SHEET 02 OF 13



SETBACK REQUIREMENTS		
SETBACK	*REQUIRED*	*PROVIDED (TO TOWER)*
FRONT	50'	495'
SIDE	30'	206'
REAR	40'	180'
TOWER	154'	180'

BUILDING COVERAGE PROVIDED: 0 Sq.Ft.

LOT COVERAGE %: 1.53%
GREEN SPACE %: 98.47%

1 VA100 **SCHEMATIC TOTAL HOLDINGS**
SCALE:1" = 80' (22 x 34 SHEET)
1" = 160' (11 x 17 SHEET)

GRAPHIC SCALE
80 0 40 80 160 320
(IN FEET)
1 inch = 80 ft. (22" x 34" SHEET)
1 inch = 160ft. (11" x 17" SHEET)

APPROVAL SIGNATURE:

STEVEN J. MOUNTAIN, P.E.
TOWN OF BATAVIA – TOWN ENGINEER

DATE

verizon

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PROJECT MANAGER
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SCHEMATIC TOTAL HOLDINGS

C.E. JOB NUMBER: 8811

SHEET NUMBER: VA100

SHEET 03 OF 13

EXISTING WOOD POST AND BOX WIRE FENCE (TYPICAL)

N/F
LEON PERRY
T.A. #16.-1-19.11
2866 LEAR ROAD

EXISTING WOOD POST AND BOX WIRE FENCE (TYPICAL)

APPROXIMATE PARCEL BOUNDS

EXISTING 6"x8" WOOD POST (TYPICAL)

APPROXIMATE PARCEL BOUNDS

APPROXIMATE PARCEL BOUNDS

N/F
DOUGLAS FERGUSON
T.A. #16.-1-17.1

WILKINSON ROAD (COUNTY ROAD 5)
(49.5' R.O.W.)

PROPOSED 154' MONOPOLE
LAT:42.963511°(42° 57' 48.64"N)
LONG:-78.297616°(78° 17' 51.42"W)
BASE ELEV: 908.3'± AMSL

PROPOSED VERIZON WIRELESS
100' x 100' LEASE PARCEL
AREA= 0.23± ACRES

EXISTING UTILITY POLE
NG9299

PROPOSED 10' WIDE UTILITIES EASEMENT

EXISTING 18" PVC
E. INV.=903.57
REDUCES TO 4" PERFORATED PLASTIC TILE, DISCHARGING AT ROAD SWALE (PER LAND OWNER)

PROPOSED 30' WIDE ACCESS AND UTILITIES EASEMENT

EXISTING 20' - 18" DIA PIPE @ 0.6% SLOPE
N. INV.=897.21
S. INV.=897.33

(2) EXISTING METAL SWING GATES

HEDGE ROW

14"

18"

12"

12"

20"

WOODS
3"-18" DECIDUOUS TREES

EXISTING METAL SWING GATE TO BE RELOCATED

EXISTING 2.5" VENT PIPE 8' UP

EXISTING POND

APPROXIMATE LOCATION OF EXISTING 2" NATURAL GAS LINE PER 12/5/2023 STAKE-OUT BY USG

EXISTING WOOD POST AND BOX WIRE FENCE (TYPICAL)

EXISTING 2.5" VENT PIPE 8' UP

EXISTING FEDERAL WETLAND DELINEATED BY EARTH DIMENSIONS, INC ON 5/18/2023

EDGE OF WATER ELEV=903.7 ON 05/19/2023

EXISTING 6"x8" WOOD POST (TYPICAL)

EXISTING WOOD POST AND WIRE FENCE W/ ELECTRIC

APPROXIMATE PARCEL BOUNDS

EXISTING GRAVEL SHOULDER

EXISTING UTILITY POLE
NG9313

N/F
DOUGLAS & JACQUELINE FERGUSON
T.A. #16.-1-17.2
9321 WILKINSON ROAD
LIBER 508 OF DEEDS PAGE 255

1 / VA101 SURVEY PLAN
SCALE: 1" = 30' (22 x 34 SHEET)
1" = 60' (11 x 17 SHEET)

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft. (22" x 34" SHEET)
1 inch = 60 ft. (11" x 17" SHEET)

N
NORTH

APPROVAL SIGNATURE:

STEVEN J. MOUNTAIN, P.E.
TOWN OF BATAVIA – TOWN ENGINEER

DATE

verizon

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SURVEY PLAN

C.E. JOB NUMBER
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SHEET NUMBER
VA101

SHEET 04 OF 13

DESCRIPTION OF LEASE PARCEL

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN TOWN OF BATAVIA, COUNTY OF GENESEE, STATE OF NEW YORK, ALL AS SHOWN ON A MAP ENTITLED "WILKINSON & LEAR - SURVEY PLAN / SCHEMATIC TOTAL HOLDINGS", PREPARED BY COSTICH ENGINEERING, D.P.C., HAVING DRAWING NO. 8811 VA100-VA101, DATED 06/02/2023, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ALONG THE ASSUMED EAST BOUNDS OF WILKINSON ROAD (49.5' WIDE), SAID POINT BEING AT THE ASSUMED COMMON LINE BETWEEN LANDS NOW OR FORMERLY OWNED BY DOUGLAS FERGUSON (T.A.#16.-1-17.1) TO THE SOUTH AND LANDS NOW OR FORMERLY OWNED BY LEON PERRY (T.A.#16.-1-19.11) TO THE NORTH; THENCE

N73°36'28"W, THROUGH LANDS NOW OR FORMERLY OWNED BY DOUGLAS FERGUSON (T.A.#16.-1-17.1), A DISTANCE OF 995.80 FEET TO THE POINT AND PLACE OF BEGINNING; THENCE

N60°00'00"W, A DISTANCE OF 100.00 FEET TO A POINT; THENCE

N30°00'00"E, A DISTANCE OF 100.00 FEET TO A POINT; THENCE

S60°00'00"E, A DISTANCE OF 100.00 FEET TO A POINT; THENCE

S30°00'00"W, A DISTANCE OF 100.00 FEET TO A POINT; THENCE, SAID POINT BEING THE POINT AND PLACE OF BEGINNING. CONTAINING 0.230 ACRES OF LAND, MORE OR LESS.

SCHEDULE A PARENT PARCEL

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND, SITUATE IN THE TOWN OF BATAVIA, GENESEE COUNTY, NEW YORK, DISTINGUISHED BY BEING PART OF LOTS 7 AND 9, SECTION 12, TOWNSHIP 12, RANGE 2 OF THE HOLLAND PURCHASE DESCRIBED AS FOLLOWS: BEING ALL THAT PART OF THE LANDS CONVEYED TO MICHAEL J. JUDGE AND HANNAH T. JUDGE, HIS WIFE BY MARY AGNES KING FORMERLY MARY AGNES MCMANUS, BY DEED DATED APRIL 6, 1922, RECORDED APRIL 10, 1922 IN THE GENESEE COUNTY CLERK'S OFFICE IN LIBER 249, PAGE 282 LYING AND SITUATED ON THE SOUTH SIDE OF THE LANDS OF THE LEHIGH VALLEY RAILWAY COMPANY, FORMERLY THE BUFFALO AND GENEVA RAILWAY COMPANY ACROSS THE PREMISES SO CONVEYED TO THE SAID MICHAEL J. JUDGE AND HANNAH T. JUDGE, HIS WIFE TO WHICH DEED REFERENCE IS HEREBY MADE FOR A MORE DETAILED DESCRIPTION OF THE LANDS HEREBY CONVEYED, CONTAINING IN ALL SOUTH OF SAID RAILWAY LANDS AS NOW LOCATED ABOUT TEN ACRES OF LAND, MORE OR LESS. ALSO ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE TOWN OF BATAVIA, COUNTY OF GENESEE AND STATE OF NEW YORK DISTINGUISHED AS THE MIDDLE PART OF LOT NO. 7 IN THE 12TH SECTION OF SAID TOWNSHIP BOUNDED NORTH ON THE SOUTH BOUNDS OF THE LANDS OF AMOS PIERCE AND J. G. RUSSELL 20 CHAINS AND 83 LINKS WEST ON THE CENTER OF THE HIGHWAY 6 CHAINS 25 LINKS; SOUTH ON THE LANDS NOW OR FORMERLY OWNED BY LINEUS SAWENS 20 CHAINS AND 89 LINKS; AND EAST ON THE WEST BOUNDS OF LOT NO. 5, 6 CHAINS 25 LINKS CONTAINING 13 ACRES BE THE SAME MORE OR LESS.

EXCEPTING AND RESERVING FROM THE ABOVE DESCRIBED PREMISES ALL OF THAT PORTION THEREOF CONVEYED TO JOSEPH H. SEWERYNIAK AND PATRICIA R. SEWERYNIAK BY DEED RECORDED IN THE GENESEE COUNTY CLERK'S OFFICE ON MARCH 9, 1971 IN LIBER 414 OF DEEDS AT PAGE 96.

ALSO EXCEPTING AND RESERVING THEREFROM ALL THAT TRACT OR PARCEL OF LAND BEING SIMULTANEOUSLY HEREWITH CONVEYED TO DOUGLAS FERGUSON AND JACQUELINE FERGUSON BY DEED RECORDED IN THE GENESEE COUNTY CLERK'S OFFICE ON MARCH 21, 1986 IN LIBER 508 OF DEEDS AT PAGE 255.

TITLE REVIEW

PER STEWART TITLE INSURANCE COMPANY TITLE NO. 71259403, HAVING AN EFFECTIVE DATE JULY 12, 2023, SURVEY PERTINENT DETERMINATIONS ARE:

12. EASEMENT GRANTED BY DAVID F. THOMPSON AND DORIS C. THOMPSON TO EMPIRE TELEPHONE CORP., DATED MAY 28, 1968 AND RECORDED JUNE 14, 1968 IN LIBER 404 OF DEEDS, PAGE 363. PREMISES MAY BE SUBJECT TO SAID EASEMENT, EASEMENT IS A BOUNDED ON BY EASEMENT AND NOT SPECIFIC TO ITS ACTUAL LOCATION BUT ASSUMED TO FOLLOW THE POLE LINE FRONTING ON WILKINSON ROAD. THE PROPOSED ACCESS AND UTILITY EASEMENT WILL CROSS SAID EASEMENT.

13. OIL AND GAS LEASE GRANTED BY CECIL GEORGE CLARK AND ADDIE S. CLARK TO WEAVER OIL AND GAS CORPORATION, DATED MAY 16, 1964 AND RECORDED NOVEMBER 19, 1964 IN LIBER 377 OF DEEDS, PAGE 103. BLANKET OIL AND GAS LEASE WITH AN INITIAL TERM OF 10 YEARS. NO VISIBLE OIL AND GAS WELLS OR EQUIPMENT WAS VISIBLE AT TIME OF SURVEY.

14. OIL AND GAS LEASE GRANTED BY DAVID F. THOMPSON AND DORIS C. THOMPSON TO UNITED STATES GYPSUM COMPANY, DATED DECEMBER 5, 1978 AND RECORDED DECEMBER 12, IN LIBER 445 OF DEEDS, PAGE 665. BLANKET OIL AND GAS LEASE WITH AN INITIAL TERM OF 10 YEARS. NO VISIBLE OIL AND GAS WELLS OR EQUIPMENT WAS VISIBLE AT TIME OF SURVEY. AS ASSIGNED BY ASSIGNMENT OF LEASE GRANTED BY GYPSUM ENERGY MANAGEMENT COMPANY TO UNITED STATES GYPSUM COMPANY, DATED SEPTEMBER 1, 1981 AND RECORDED APRIL 13, 1982 IN LIBER 71 OF MISCELLANEOUS RECORDS, PAGE 442.

DESCRIPTION OF ACCESS & UTILITY EASEMENT

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN TOWN OF BATAVIA, COUNTY OF GENESEE, STATE OF NEW YORK, ALL AS SHOWN ON A MAP ENTITLED "WILKINSON & LEAR - SURVEY PLAN / SCHEMATIC TOTAL HOLDINGS", PREPARED BY COSTICH ENGINEERING, D.P.C., HAVING DRAWING NO. 8811 VA100-VA101, DATED 06/02/2023, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ALONG THE ASSUMED EAST BOUNDS OF WILKINSON ROAD (49.5' WIDE), SAID POINT BEING AT THE ASSUMED COMMON LINE BETWEEN LANDS NOW OR FORMERLY OWNED BY DOUGLAS FERGUSON (T.A.#16.-1-17.1) TO THE SOUTH AND LANDS NOW OR FORMERLY OWNED BY LEON PERRY (T.A.#16.-1-19.11) TO THE NORTH; THENCE

S00°35'15"E, ALONG THE ASSUMED EAST BOUNDS OF WILKINSON ROAD (49.5' WIDE), A DISTANCE OF 239.67 FEET TO THE POINT AND PLACE OF BEGINNING; THENCE

N86°26'02"E, A DISTANCE OF 272.16 FEET TO A POINT; THENCE

N89°03'38"E, A DISTANCE OF 124.72 FEET TO A POINT; THENCE

N00°56'22"W, A DISTANCE OF 70.00 FEET TO A POINT; THENCE

N89°03'38"E, A DISTANCE OF 30.00 FEET TO A POINT; THENCE

S00°56'22"E, A DISTANCE OF 100.00 FEET TO A POINT; THENCE

S89°03'38"W, A DISTANCE OF 154.04 FEET TO A POINT; THENCE

S86°26'02"W, A DISTANCE OF 273.08 FEET TO A POINT; THENCE

N00°29'34"W, A DISTANCE OF 30.00 FEET TO A POINT; THENCE, SAID POINT BEING THE POINT AND PLACE OF BEGINNING. CONTAINING 0.342 ACRES OF LAND, MORE OR LESS.

DESCRIPTION OF UTILITIES EASEMENT

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN TOWN OF BATAVIA, COUNTY OF GENESEE, STATE OF NEW YORK, ALL AS SHOWN ON A MAP ENTITLED "WILKINSON & LEAR - SURVEY PLAN / SCHEMATIC TOTAL HOLDINGS", PREPARED BY COSTICH ENGINEERING, D.P.C., HAVING DRAWING NO. 8811 VA100-VA101, DATED 06/02/2023, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

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S00°37'12"E, ALONG THE ASSUMED EAST BOUNDS OF WILKINSON ROAD (49.5' WIDE), A DISTANCE OF 178.43 FEET TO THE POINT AND PLACE OF BEGINNING; THENCE

N89°30'26"E, A DISTANCE OF 10.00 FEET TO A POINT; THENCE

S00°29'34"E, A DISTANCE OF 60.70 FEET TO A POINT; THENCE

S86°26'02"W, A DISTANCE OF 10.00 FEET TO A POINT; THENCE

N00°29'44"W, A DISTANCE OF 61.23 FEET TO A POINT; THENCE, SAID POINT BEING THE POINT OF BEGINNING.

SURVEY REFERENCES & NOTES

1. TOPOGRAPHY SHOWN FROM A FIELD SURVEY BY COSTICH ENGINEERING ON 05/19/2023 HORIZONTAL AND VERTICAL DATA OBTAINED THROUGH NYSDOT CORS NETWORK REFERENCED TO THE FOLLOWING MONUMENT

   BATAVIA CORS STATION
   -LATITUDE: 42-59-17.96032 (N) NAD 83 (CORS)
   -LONGITUDE: 78-07-20.37562 (W)
   -ELLIP HEIGHT: 262.25 METERS NAVD 88 (CORS)

2. BOUNDARY SURVEY HAS NOT BEEN PERFORMED BY COSTICH ENGINEERING. BOUNDARY SHOWN HEREON IS APPROXIMATE AND DETERMINED BY LIMITED FIELD LOCATION OF BOUNDARY EVIDENCE, REVIEW OF TITLE COMMITMENT, IF PROVIDED, AND OVERLAY OF COUNTY TAX MAPS AND/OR COUNTY GIS MAPPING.

3. PER THE NYSDEC FRESHWATER WETLANDS MAP, THERE ARE STATE WETLANDS WEST OF THE PROJECT AREA.

4. PER THE NATIONAL WETLANDS INVENTORY MAPS, THERE ARE NO FEDERAL WETLANDS WITHIN 300' OF THE PROJECT AREA.

5. PER THE ERSI/FEMA PROJECT IMPACT HAZARD INFORMATION AND AWARENESS SITE MAP THERE IS NO 100 YR. FLOOD PLAIN IN THE PROJECT AREA.

6. WETLAND DELINEATION REPORT PREPARED BY EARTH DIMENSIONS, INC., HAVING PROJECT CODE W26D23, DATED MAY 30, 2023.

7. USG NATURAL GAS EXHIBIT ENTITLED WILKINSON ROAD.

8. 1A CERTIFICATION PREPARED BY COSTICH ENGINEERING, WITH JOB NUMBER 8811, HAVING AN EFFECTIVE DATE OF 06/07/2023.

9. STEWART TITLE INSURANCE COMPANY TITLE NO.71259403, HAVING AN EFFECTIVE DATE OF JULY 12, 2023

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

COSTICH ENGINEERING
• CIVIL ENGINEERING
• LAND SURVEYING
• LANDSCAPE ARCHITECTURE
217 LAKE AVENUE
ROCHESTER, NY 14608
(585) 458-3020

NO.	DATE	COMMENTS
0	06/02/2023	ISSUED PRELIMINARY FOR REVIEW
1	12/13/2023	ADDED GAS LINE LOCATION PER FIELD SURVEY
2	12/20/2023	UPDATED VZW EQUIPMENT AND ADDED GENERATOR
3	03/29/2024	ISSUED FINAL
4	05/09/2024	ADDED SETBACK TABLE, SIGNATURE BLOCK & TOPSOIL NOTE
5	05/09/2024	ADDED LOT COVERAGE INFORMATION

STATE OF NEW YORK · MICHAEL O RITCHIE · 096184 · LICENSED PROFESSIONAL ENGINEER

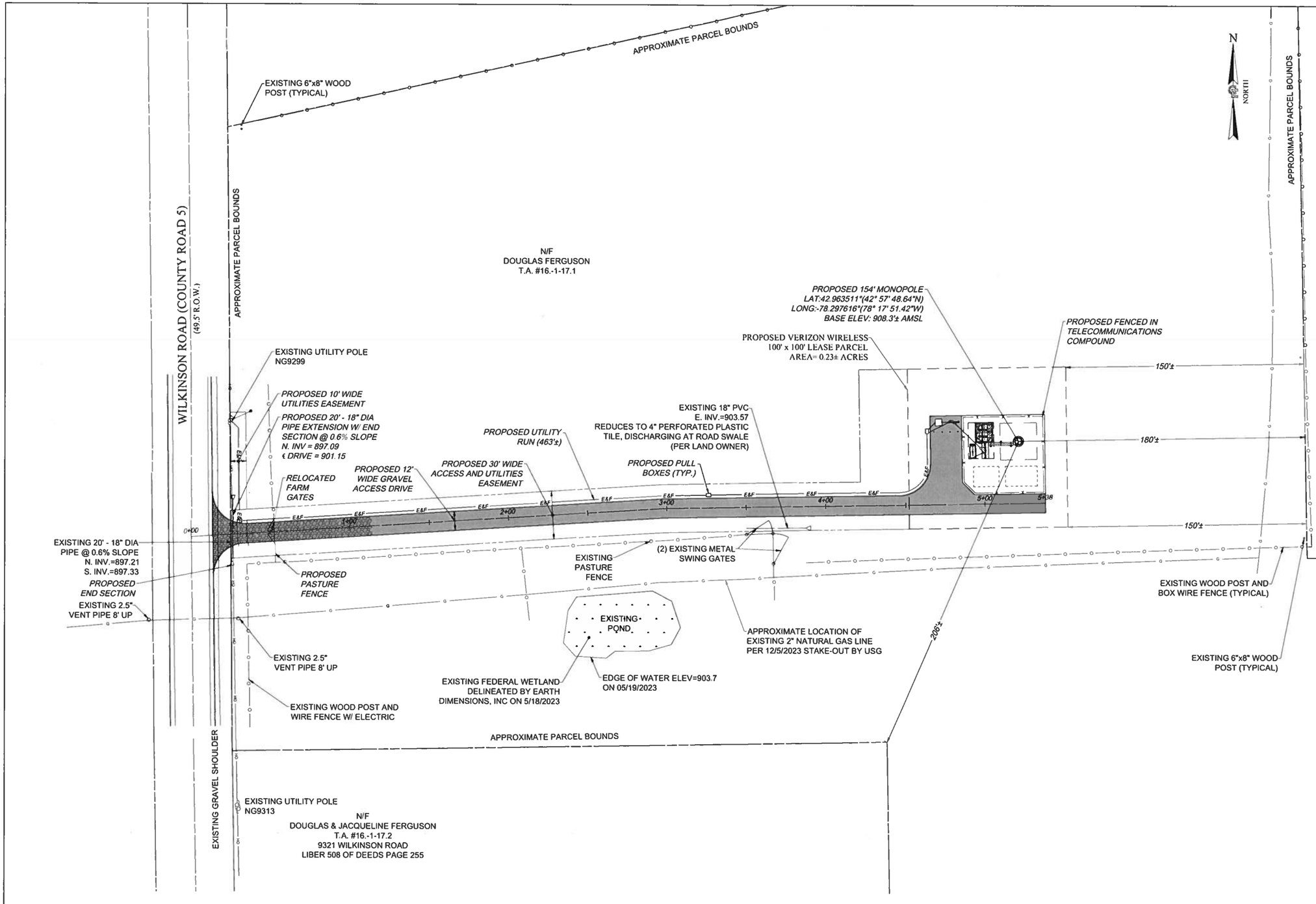
PROJECT MANAGER: D.A.W.
DRAWN BY: R.D.L.

SITE INFORMATION
WILKINSON AND LEAR
PROJECT ID: 20222407274
LOCATION CODE: 678299

TOWN OF BATAVIA
COUNTY OF GENESEE
STATE OF NEW YORK

SHEET TITLE
SURVEY NOTES & DESCRIPTIONS

C.E. JOB NUMBER: 8811
SHEET NUMBER: VA110
SHEET 05 OF 13



1 / CA100 OVERALL SITE PLAN
SCALE: 1" = 30' (22 x 34 SHEET)
1" = 60' (11 x 17 SHEET)

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft. (22" x 34" SHEET)
1 inch = 60 ft. (11" x 17" SHEET)

APPROVAL SIGNATURE:

STEVEN J. MOUNTAIN, P.E.
TOWN OF BATAVIA – TOWN ENGINEER

DATE

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

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STATE OF NEW YORK
MICHAEL O. RITCH
096184
LICENSED PROFESSIONAL ENGINEER

PROJECT MANAGER
D.A.W.

DRAWN BY
R.D.L.

SITE INFORMATION

WILKINSON AND LEAR
PROJECT ID: 20222407274
LOCATION CODE: 678299

TOWN OF BATAVIA
COUNTY OF GENESEE
STATE OF NEW YORK

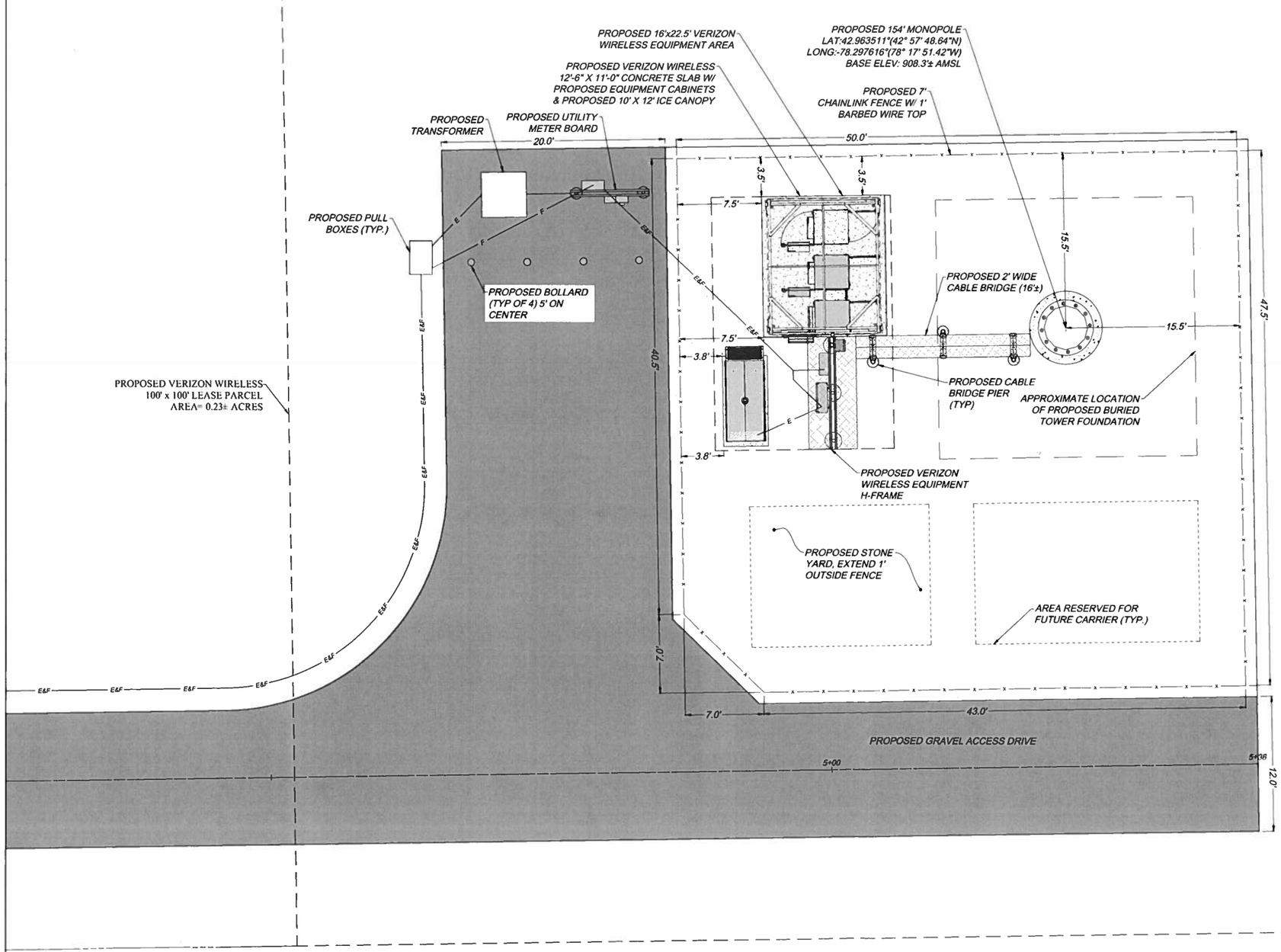
SHEET TITLE

OVERALL SITE PLAN

C.E. JOB NUMBER
8811

SHEET NUMBER
CA100

SHEET 06 OF 13



1 CA110 **COMPOUND PLAN**
SCALE: 1" = 5' (22 x 34 SHEET)
1" = 10' (11 x 17 SHEET)

GRAPHIC SCALE
5 0 2.5 5 10 20
(IN FEET)
1 inch = 5 ft. (22" x 34" SHEET)
1 inch = 10 ft. (11" x 17" SHEET)

APPROVAL SIGNATURE:
STEVEN J. MOUNTAIN, P.E.
TOWN OF BATAVIA – TOWN ENGINEER
DATE

N
NORTH

verizon

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STATE OF NEW YORK · MICHAEL O RITCHIE · 098184 · LICENSED PROFESSIONAL ENGINEER

PROJECT MANAGER: D.A.W.
DRAWN BY: R.D.L.

SITE INFORMATION
WILKINSON AND LEAR
PROJECT ID: 20222407274
LOCATION CODE: 678299

TOWN OF BATAVIA
COUNTY OF GENESEE
STATE OF NEW YORK

SHEET TITLE
COMPOUND PLAN

C.E. JOB NUMBER: 8811
SHEET NUMBER: CA110
SHEET 07 OF 13

TOPSOIL NOTE:
NO PERSON SHALL STRIP, EXCAVATE OR OTHERWISE REMOVE TOPSOIL FOR SALE OR FOR USE OTHER THAN ON THE PREMISES FROM WHICH THE TOPSOIL IS TAKEN, EXCEPT IN CONNECTION WITH THE CONSTRUCTION OR ALTERATION OF A BUILDING OR STRUCTURE ON SUCH PREMISES AND EXCAVATING OR GRADING INCIDENTAL THERETO.

N
NORTH

PROPOSED 154' MONOPOLE
LAT:42.963511°(42° 57' 48.64"N)
LONG:-78.297616°(78° 17' 51.42"W)
BASE ELEV: 908.3'± AMSL

PROPOSED VERIZON WIRELESS
100' x 100' LEASE PARCEL
AREA= 0.23± ACRES

PROPOSED 10' WIDE UTILITIES EASEMENT

PROPOSED 100' STABILIZED CONSTRUCTION ENTRANCE

PROPOSED 12' WIDE GRAVEL ACCESS DRIVE

PROPOSED SILT FENCE (TYP.)

RELOCATED FARM GATES

PROPOSED PASTURE FENCE

EXISTING PASTURE FENCE

APPROXIMATE LOCATION OF EXISTING 2" NATURAL GAS LINE PER 12/5/2023 STAKE-OUT BY USG

EXISTING 20' - 18" DIA PIPE
@ 0.6% SLOPE
N. INV.=897.21
S. INV.=897.33

EXISTING POND

EXISTING FEDERAL WETLAND DELINEATED BY EARTH DIMENSIONS, INC ON 5/18/2023

EDGE OF WATER ELEV=903.7 ON 05/19/2023

EXISTING 18" PVC
E. INV.=903.57
REDUCES TO 4" PERFORATED PLASTIC TILE, DISCHARGING AT ROAD SWALE (PER LAND OWNER)

PROPOSED LIMITS OF CLEARING

PROPOSED CONCRETE WASHOUT

WILKINSON ROAD (COUNTY ROAD 5) (49.5' R.O.W.)

1 CA120 GRADING & EROSION CONTROL PLAN
SCALE: 1" = 20' (22 x 34 SHEET)
1" = 40' (11 x 17 SHEET)

GRAPHIC SCALE
20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft. (22" x 34" SHEET)
1 inch = 40 ft. (11" x 17" SHEET)

APPROVAL SIGNATURE:
STEVEN J. MOUNTAIN, P.E.
TOWN OF BATAVIA – TOWN ENGINEER
DATE

verizon
1275 JOHN STREET, SUITE #100
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217 LAKE AVENUE
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(585) 458 3020

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STATE OF NEW YORK
MICHAEL O RITCHIE
096184
LICENSED PROFESSIONAL ENGINEER

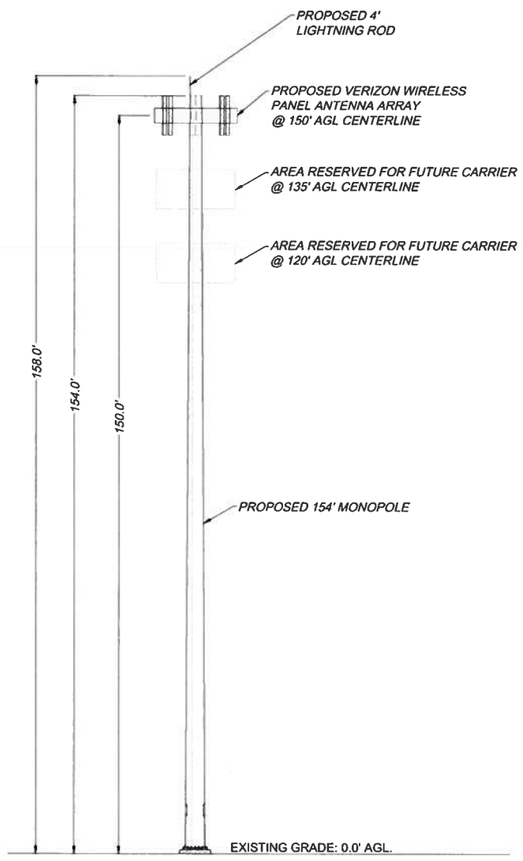
PROJECT MANAGER: D.A.W.
DRAWN BY: R.D.L.

SITE INFORMATION
WILKINSON AND LEAR
PROJECT ID: 20222407274
LOCATION CODE: 678299

TOWN OF BATAVIA
COUNTY OF GENESEE
STATE OF NEW YORK

SHEET TITLE
GRADING & EROSION CONTROL PLAN

C.E. JOB NUMBER: 8811
SHEET NUMBER: CA120
SHEET 08 OF 13



1 CA500 TOWER ELEVATION
SCALE: 1" = 15' (22 x 34 SHEET)
1" = 30' (11 x 17 SHEET)

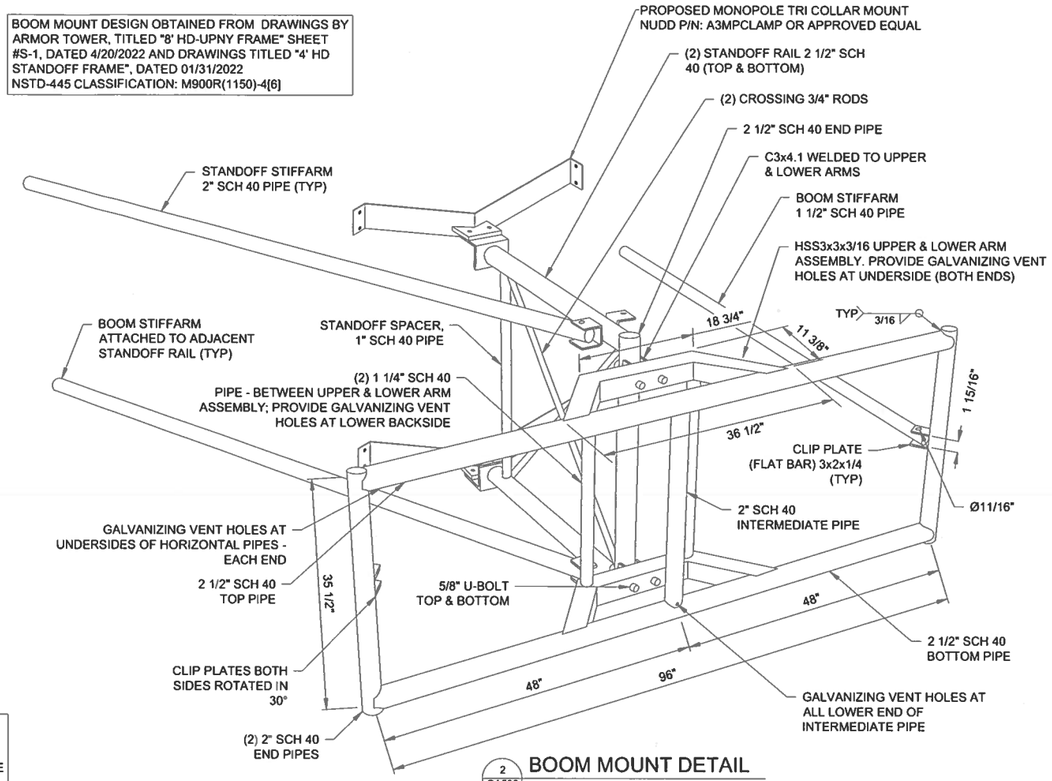
GRAPHIC SCALE
15 0 7.5 15 30 60
(IN FEET)
1 inch = 15 ft. (22" x 34" SHEET)
1 inch = 30 ft. (11" x 17" SHEET)

NOTE:
CONTRACTORS MUST UTILIZE VERIZON WIRELESS APPROVED LOW-PIM CABLE SUPPORT FASTENERS AND RELATED ANCILLARY ATTACHMENT HARDWARE WITHIN 10 FEET OF VERIZON WIRELESS ANTENNAS

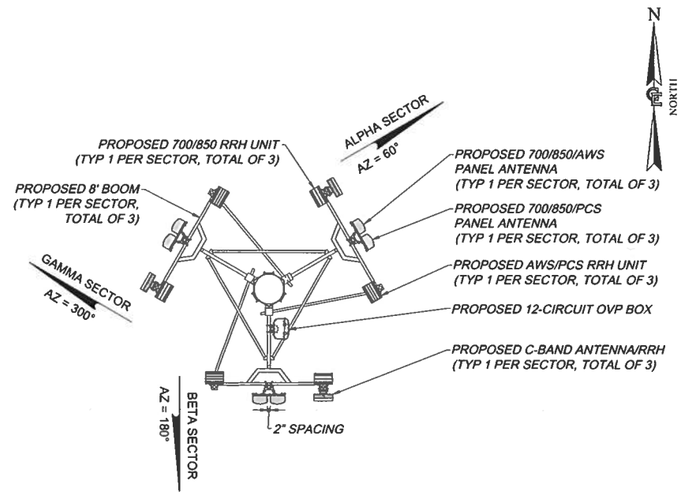
TOWER NOTES

1. THE TOWER SHALL BE CONSTRUCTED WITH GALVANIZED STEEL.
2. NO FAA OBSTRUCTION LIGHTING IS PROPOSED BY VERIZON WIRELESS UNLESS IT IS REQUIRED BY THE FEDERAL AVIATION ADMINISTRATION OR THE LOCAL MUNICIPALITY.
3. ALL REFERENCES TO THE TOWER AND ITS FOUNDATION ARE TO BE DIRECTED TO THE DESIGN AND DETAIL DRAWINGS BY THE TOWER SUPPLIER.
4. TOWER SHALL BE DESIGNED/ CONSTRUCTED TO ACCOMMODATE A TOTAL OF THREE WIRELESS CARRIERS.
5. THERE SHALL BE NO PERMANENT CLIMBING PEGS WITHIN 15' OF THE GROUND OF ANY TOWER.
6. PROPOSED ANTENNAS SHALL BE INSTALLED IN ACCORDANCE WITH THE SITE SPECIFIC RF ANTENNA DESIGN SHEET SUPPLIED BY THE RF SYSTEMS ENGINEER.

BOOM MOUNT DESIGN OBTAINED FROM DRAWINGS BY ARMOR TOWER, TITLED "8' HD-UPNY FRAME" SHEET #S-1, DATED 4/20/2022 AND DRAWINGS TITLED "4' HD STANDOFF FRAME", DATED 01/31/2022
NSTD-445 CLASSIFICATION: M900R(1150)-4[6]



2 CA500 BOOM MOUNT DETAIL
SCALE: NTS



3 CA500 ANTENNA ORIENTATION
SCALE: 1" = 5' (22 x 34 SHEET)
1" = 10' (11 x 17 SHEET)

GRAPHIC SCALE
5 0 2.5 5 10 20
(IN FEET)
1 inch = 5 ft. (22" x 34" SHEET)
1 inch = 10 ft. (11" x 17" SHEET)

verizon
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5	05/09/2024	ADDED LOT COVERAGE INFORMATION

STATE OF NEW YORK · MICHAEL O RITCHIE · 095184 · LICENSED PROFESSIONAL ENGINEER

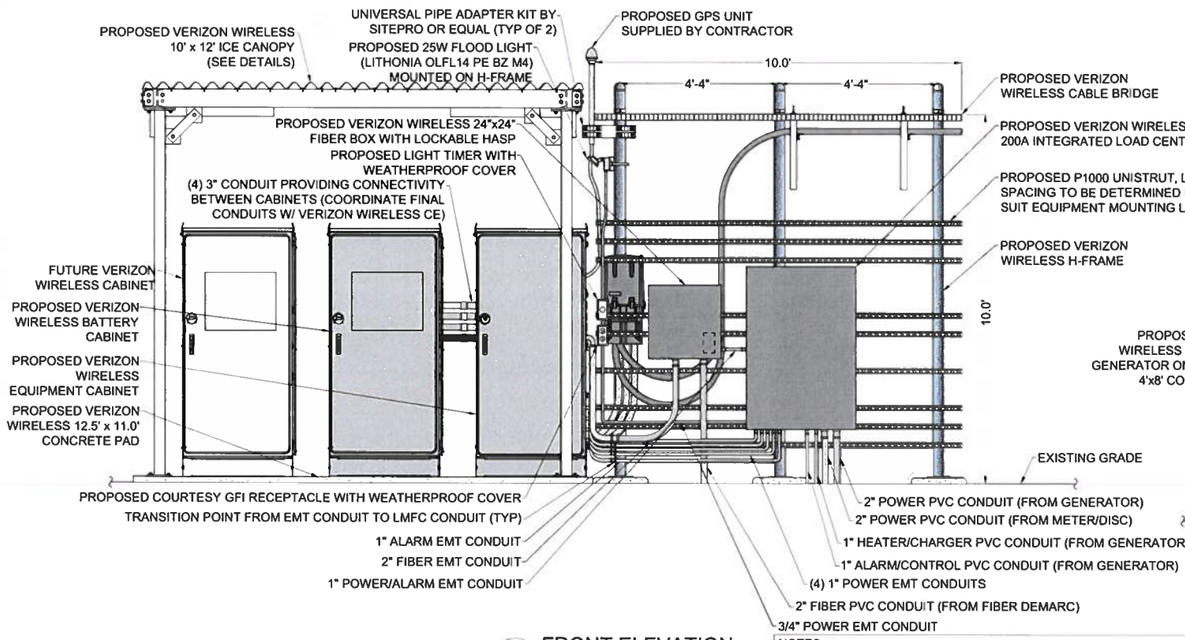
PROJECT MANAGER: D.A.W.
DRAWN BY: R.D.L.

SITE INFORMATION
WILKINSON AND LEAR
PROJECT ID: 20222407274
LOCATION CODE: 678299

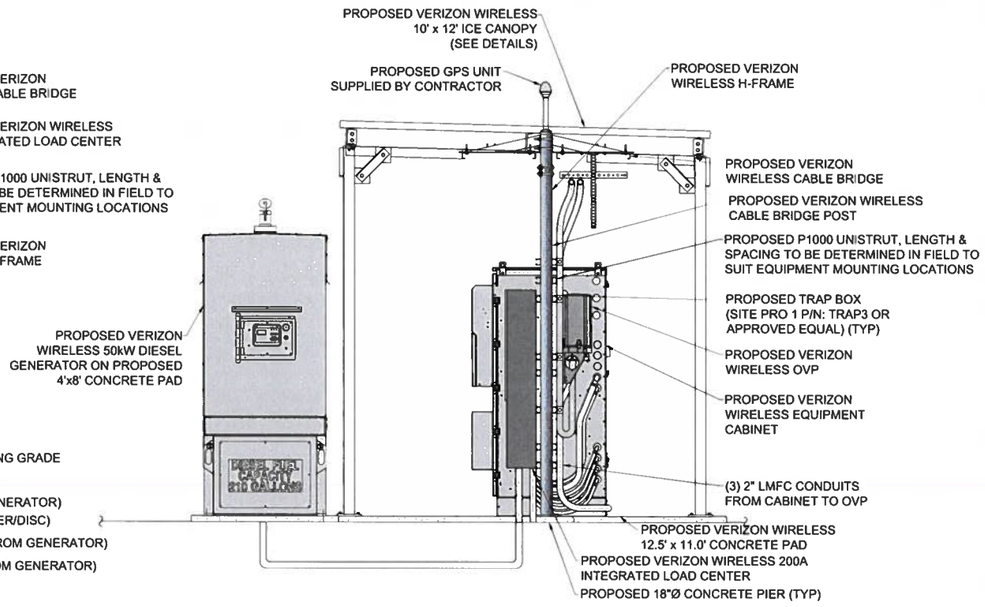
TOWN OF BATAVIA
COUNTY OF GENESEE
STATE OF NEW YORK

SHEET TITLE
TOWER ELEVATION, ORIENTATION & RF INFO

C.E. JOB NUMBER: 8811
SHEET NUMBER: CA500
SHEET 9 OF 13



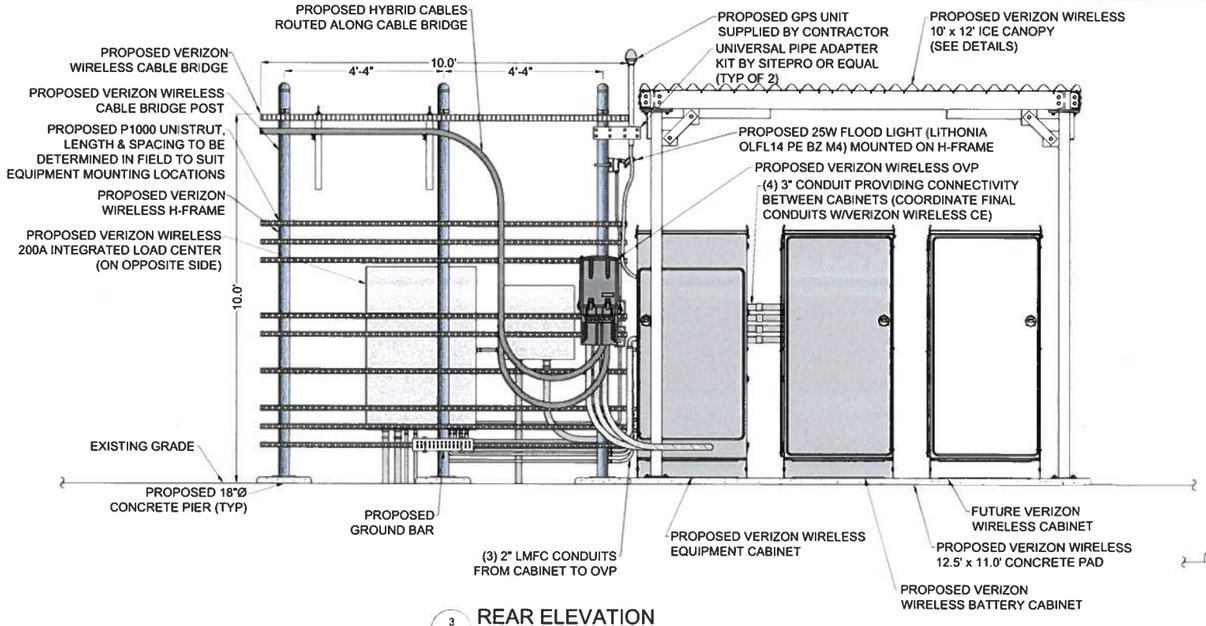
1 CA501 **FRONT ELEVATION**
SCALE: 1" = 2' (22 x 34 SIZE)
1" = 4' (11 x 17 SIZE)



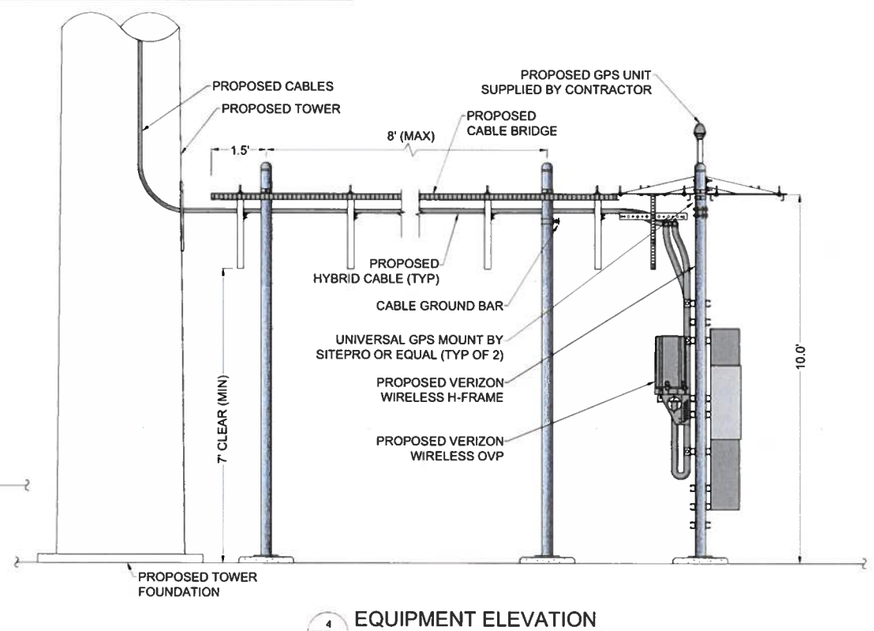
2 CA501 **SIDE ELEVATION**
SCALE: 1" = 2' (22 x 34 SIZE)
1" = 4' (11 x 17 SIZE)

NOTES:

1. GENERAL CONTRACTOR AND VERIZON WIRELESS SETUP VENDOR TO INSTALL PULL STRINGS IN ALL EQUIPMENT CONDUITS AS APPLICABLE (OVP, ALARM, POWER, FIBER, AND GENERATOR)
2. VERIZON WIRELESS SETUP VENDOR TO ADD PLYWOOD BACKING BOARD INSIDE HOFFMAN BOX.
3. VERIZON WIRELESS SETUP VENDOR TO PROVIDE AND INSTALL CAT6 ETHERNET CABLING FOR ALL ALARM POINTS REQUIRED BY VERIZON WIRELESS STANDARDS.
4. ALL CIVIL SITE WORK (CONDUITS, GROUNDING, CONCRETE) TO BE PERFORMED BY VERIZON WIRELESS GENERAL CONTRACTOR. ALL OTHER WORK TO BE DONE BY OTHERS.



3 CA501 **REAR ELEVATION**
SCALE: 1" = 2' (22 x 34 SIZE)
1" = 4' (11 x 17 SIZE)



4 CA501 **EQUIPMENT ELEVATION**
SCALE: 1" = 2' (22 x 34 SIZE)
1" = 4' (11 x 17 SIZE)

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

COSTICH ENGINEERING
• CIVIL ENGINEERING
• LAND SURVEYING
• LANDSCAPE ARCHITECTURE
217 LAKE AVENUE ROCHESTER, NY 14608 (585) 458-3020

NO.	DATE	COMMENTS
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4	05/09/2024	ADDED SETBACK TABLE SIGNATURE BLOCK & TOPSOIL NOTE
5	05/09/2024	ADDED LOT COVERAGE INFORMATION

STATE OF NEW YORK · MICHAEL O RITCH · 096184 · LICENSED PROFESSIONAL ENGINEER

PROJECT MANAGER: D.A.W.
DRAWN BY: R.D.L.

SITE INFORMATION

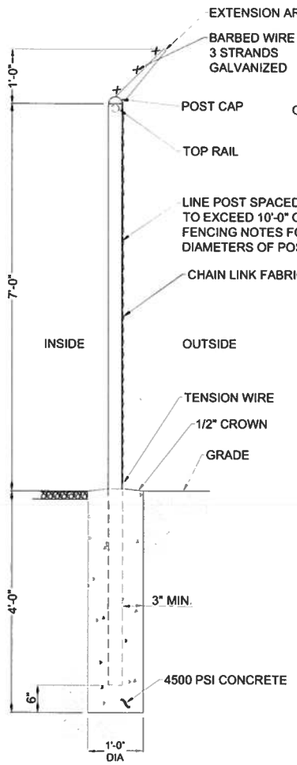
WILKINSON AND LEAR
PROJECT ID: 20222407274
LOCATION CODE: 678299

TOWN OF BATAVIA
COUNTY OF GENESEE
STATE OF NEW YORK

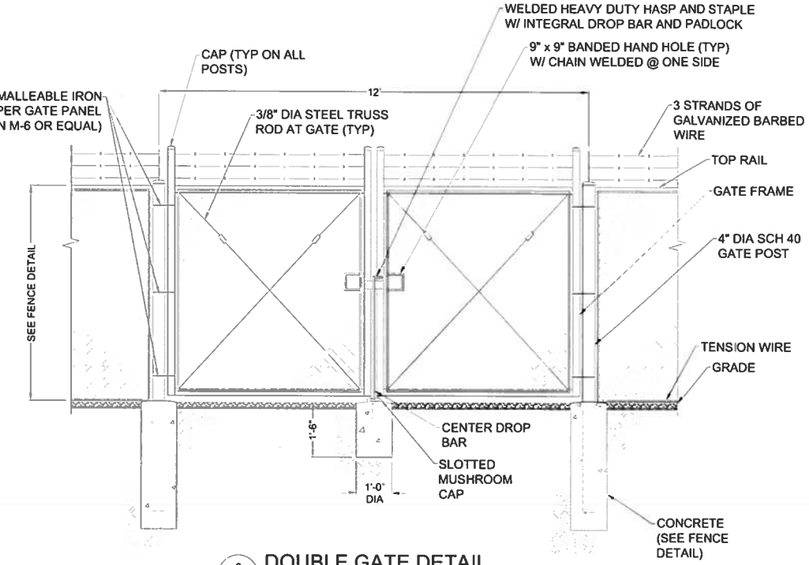
SHEET TITLE

EQUIPMENT ELEVATIONS

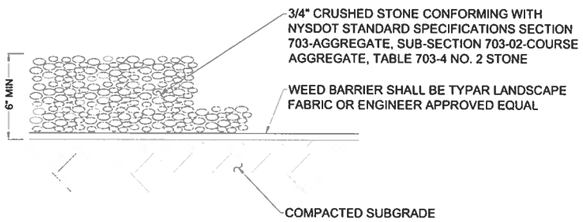
C.E. JOB NUMBER: 8811
SHEET NUMBER: CA501
SHEET 10 OF 13



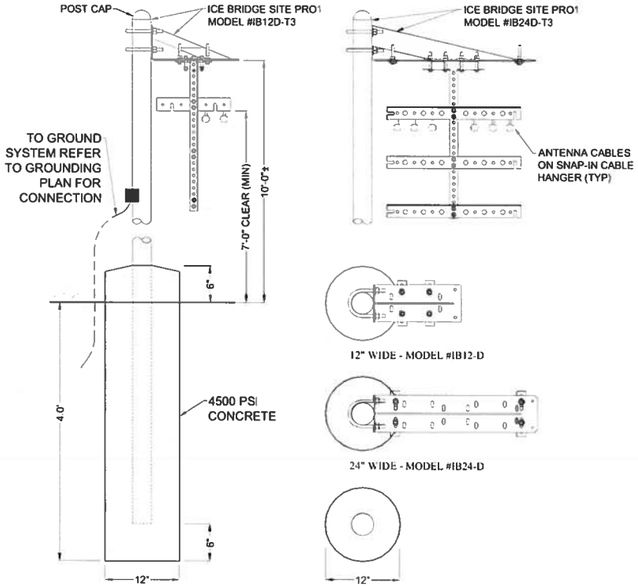
1 CA502 FENCE DETAIL
SCALE: NTS



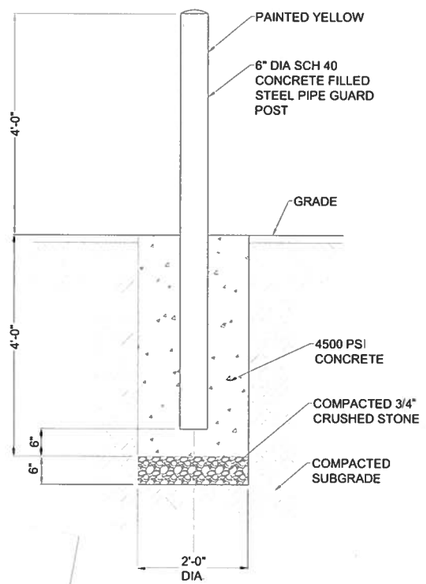
2 CA502 DOUBLE GATE DETAIL
SCALE: 1/2" = 1'-0" (22x34 SIZE)
1/4" = 1'-0" (11x17 SIZE)



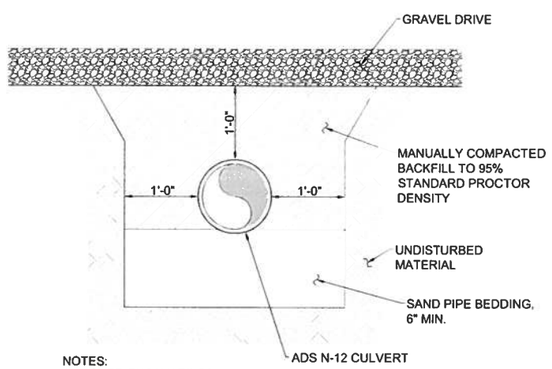
4 CA502 GRAVEL SURFACING TREATMENT
SCALE: NTS



3 CA502 CABLE BRIDGE / H-FRAME DETAIL
SCALE: NTS



5 CA502 BOLLARD DETAIL
SCALE 3/4" = 1'-0" (22x34 SIZE)
3/8" = 1'-0" (11x17 SIZE)



NOTES:
1. OVER-EXCAVATE FOR BELLS.
2. ADDITIONAL BEDDING MAY BE USED AS ORDERED BY ENGINEER.
3. ALL EXCAVATION AND TRENCHING SHALL MEET OSHA REQUIREMENTS.

6 CA502 CULVERT TRENCH DETAIL
SCALE 1/2" = 1'-0" (11x17 SIZE)
1" = 1'-0" (22x34 SIZE)

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ROCHESTER, NY 14608
(585) 458-3020

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STATE OF NEW YORK · MICHAEL O RITTER · 095184 · LICENSED PROFESSIONAL ENGINEER

PROJECT MANAGER: D.A.W.
DRAWN BY: R.D.L.

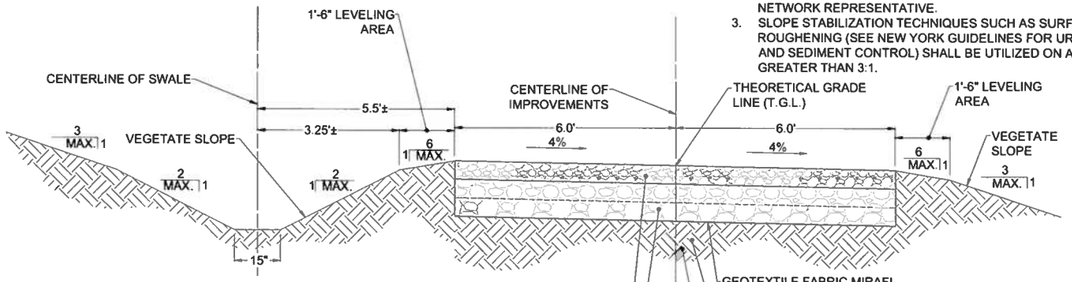
SITE INFORMATION
WILKINSON AND LEAR
PROJECT ID: 20222407274
LOCATION CODE: 678299

TOWN OF BATAVIA
COUNTY OF GENESEE
STATE OF NEW YORK

SHEET TITLE
SITE DETAILS

C.E. JOB NUMBER: 8811
SHEET NUMBER: CA502
SHEET 11 OF 13

NOTE:
1. ACCESS DRIVE STONE TO BE ACQUIRED FROM N.Y.S.D.O.T. APPROVED QUARRY.
2. ALL DISTURBED AREAS NOT RECEIVING STONE SHALL RECEIVE 4" OF TOPSOIL AND BE SEEDED AS DIRECTED BY CELLULAR NETWORK REPRESENTATIVE.
3. SLOPE STABILIZATION TECHNIQUES SUCH AS SURFACE ROUGHENING (SEE NEW YORK GUIDELINES FOR URBAN EROSION AND SEDIMENT CONTROL) SHALL BE UTILIZED ON ALL SLOPES GREATER THAN 3:1.



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.

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.

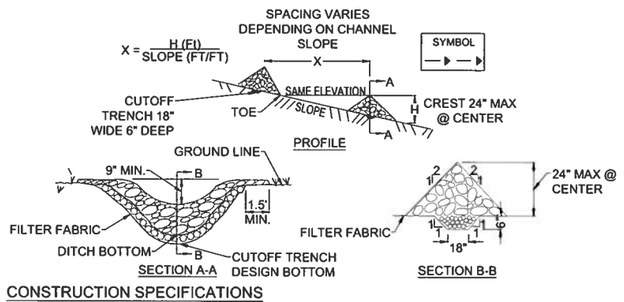
SUBGRADE AREAS THAT CANNOT BE STABILIZED OR RESULT IN REMOVAL OF ALL ORGANICS UTILIZING A MAXIMUM OF 1.0' OF UNDERCUT SHOULD BE REPORTED TO THE CONSTRUCTION MANAGER. CONSTRUCTION MANAGER SHALL RECOMMEND THE APPROPRIATE BRIDGING TECHNIQUE THAT MAY INCLUDE UTILIZATION OF STONE FILLING, ADDITIONAL FABRIC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

1 CA503 GRAVEL DRIVE CROSS SECTION W/ DRAINAGE SWALE

SCALE: 1" = 2' (22x34 SIZE)
1" = 4' (11x17 SIZE)

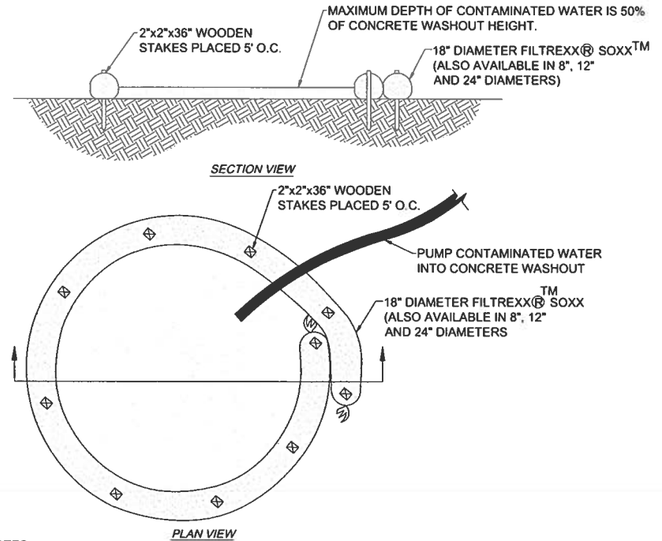


CONSTRUCTION SPECIFICATIONS

1. STONE WILL BE PLACED ON A FILTER FABRIC FOUNDATION TO THE LINES, GRADES AND LOCATIONS SHOWN IN THE PLAN.
2. 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.
3. EXTEND THE STONE A MINIMUM OF 1.5 FEET BEYOND THE DITCH BANKS TO PREVENT CUTTING AROUND THE DAM.
4. PROTECT THE CHANNEL DOWNSTREAM OF THE LOWEST CHECK DAM FROM SCOUR AND EROSION WITH STONE OR LINER AS APPROPRIATE.
5. ENSURE THAT CHANNEL APPURTENANCES SUCH AS CULVERT ENTRANCES BELOW CHECK DAMS ARE NOT SUBJECT TO DAMAGE OR BLOCKAGE FROM DISPLACED STONE.
6. MAXIMUM DRAINAGE AREA 2 ACRES.

3 CA503 CHECK DAM DETAIL

SCALE: NTS

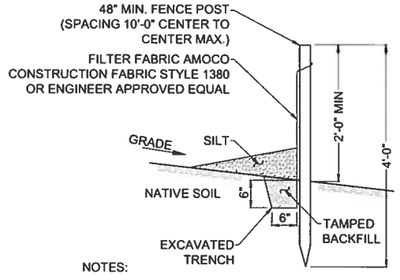


NOTES:
FOR ANY PROJECT ON WHICH CONCRETE WILL BE POURED OR OTHERWISE FORMED ON SITE, A SUITABLE WASHOUT FACILITY MUST BE PROVIDED FOR THE CLEANING OF CHUTES, MIXERS, AND HOPPERS OF THE DELIVERY VEHICLES UNLESS SUCH A FACILITY WILL BE USED AT THE SOURCE OF THE CONCRETE.

1. UNDER NO CIRCUMSTANCES MAY WASH WATER FROM THESE VEHICLES BE ALLOWED TO ENTER ANY SURFACE WATERS.
2. CONCRETE WASHOUT SHALL BE UNDERLAYED WITH 4 MIL. THICK PLASTIC BUFFER.
3. MAKE SURE THAT PROPER SIGNAGE IS PROVIDED TO DRIVERS SO THAT THEY ARE AWARE OF THE PRESENCE OF WASHOUT FACILITIES.
4. WASHOUT FACILITIES SHOULD NOT BE PLACED WITHIN 50 FEET OF STORM DRAINS, OPEN DITCHES OR SURFACE WATERS.
5. INSTALL ON FLAT GRADE NOT TO EXCEED 2%.
6. CONCRETE WASHOUT MAY BE STACKED IN A PYRAMIDAL CONFIGURATION FOR ADDED HEIGHT AND STABILITY.
7. CONCRETE WASHOUT MAY BE DIRECT SEEDED AT THE TIME OF INSTALLATION.
8. THEY SHOULD BE IN A CONVENIENT LOCATION FOR THE TRUCKS, PREFERABLY NEAR THE PLACE WHERE THE CONCRETE IS BEING POURED.
9. CONCRETE WASHOUT NOT TO BE LESS THAN 6' IN DIAMETER.

2 CA503 CONCRETE WASHOUT DETAIL

SCALE: NTS



NOTES:

1. 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 PLACE.
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.

4 CA503 SILT FENCE DETAIL

SCALE: NTS

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

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STATE OF NEW YORK · MICHAEL O RITZ · 096184 · LICENSED PROFESSIONAL ENGINEER

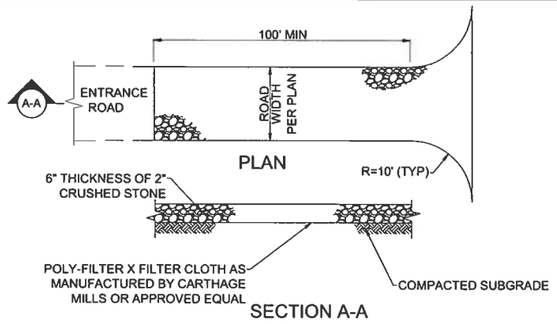
PROJECT MANAGER: D.A.W.
DRAWN BY: R.D.L.

SITE INFORMATION
WILKINSON AND LEAR
PROJECT ID: 20222407274
LOCATION CODE: 678299

TOWN OF BATAVIA
COUNTY OF GENESEE
STATE OF NEW YORK

SHEET TITLE
GRADING & EROSION CONTROL DETAILS

C.E. JOB NUMBER: 8811
SHEET NUMBER: CA503
SHEET 12 OF 13



SECTION A-A

NOTES:

1. STONE SIZE - USE 2" STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
2. LENGTH - NOT LESS THAN 100 FEET
3. THICKNESS - NOT LESS THAN SIX INCHES
4. WIDTH - 12 FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS.
5. FILTER CLOTH - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
6. 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.
7. 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.
8. 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.
9. 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.
10. PERIODIC INSPECTIONS AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

1 / CA504 STABILIZED CONSTRUCTION ENTRANCE DETAIL

SCALE: NTS

verizon

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WEST HENRIETTA, NEW YORK 14586

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STATE OF NEW YORK · MICHAEL O RITCHIE · 096184 · LICENSED PROFESSIONAL ENGINEER

PROJECT MANAGER: D.A.W.

DRAWN BY: R.D.L.

SITE INFORMATION

WILKINSON AND LEAR
PROJECT ID: 20222407274
LOCATION CODE: 678299

TOWN OF BATAVIA
COUNTY OF GENESEE
STATE OF NEW YORK

SHEET TITLE

GRADING & EROSION CONTROL DETAILS

C.E. JOB NUMBER: 8811

SHEET NUMBER: CA504

EXHIBIT R

COSTICH ENGINEERING, DPC
217 LAKE AVENUE
ROCHESTER, NY 14608

Project No. 8811
Date: 03/27/2024

REMOVAL ESTIMATE
WIRELESS TELECOMMUNICATIONS FACILITY

Project Name:Wilkinson and Lear (MDG Location ID: 5000166416 / Project ID: 17084811)
WBS Project#: VZ-00214560
Project Location: North of 9321 Wilkinson Road, Town of Batavia, Genesee County
Developer: Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless

ITEM NO.	DESCRIPTION	UNIT	EST. QTY.	EST. UNIT PRICE	TOTAL EST. AMOUNT
1.	Removal of Verizon Wireless antennas, RRH units, OVP boxes, support booms, coax and hybrid cabling from tower; disassembly and removal of 154' monopole tower; disconnect fiber and electric from equipment boxes; removal of chain link fence, generator, equipment cabinets, ice canopy, cable bridge; demolition and removal of concrete foundations (equipment pad, generator 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

STATE OF NEW YORK
DAVID A. WEISENREDER
067372
LICENSED PROFESSIONAL ENGINEER

Signature: _____
David A. Weisenreder, P.E.

Date: 3/27/2024

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EXHIBIT S

Federal Aviation Administration

« OE/AAA

Notice Criteria Tool

Notice Criteria Tool - Desk Reference Guide V_2018.2.0

The requirements for filing with the Federal Aviation Administration for proposed structures vary based on a number of factors: height, proximity to an airport, location, and frequencies emitted from the structure, etc. For more details, please reference CFR Title 14 Part 77.9.

You must file with the FAA at least 45 days prior to construction if:

- your structure will exceed 200ft above ground level
- your structure will be in proximity to an airport and will exceed the slope ratio
- your structure involves construction of a traverseway (i.e. highway, railroad, waterway etc...) and once adjusted upward with the appropriate vertical distance would exceed a standard of 77.9(a) or (b)
- your structure will emit frequencies, and does not meet the conditions of the FAA Co-location Policy
- your structure will be in an instrument approach area and might exceed part 77 Subpart C
- your proposed structure will be in proximity to a navigation facility and may impact the assurance of navigation signal reception
- your structure will be on an airport or heliport
- filing has been requested by the FAA

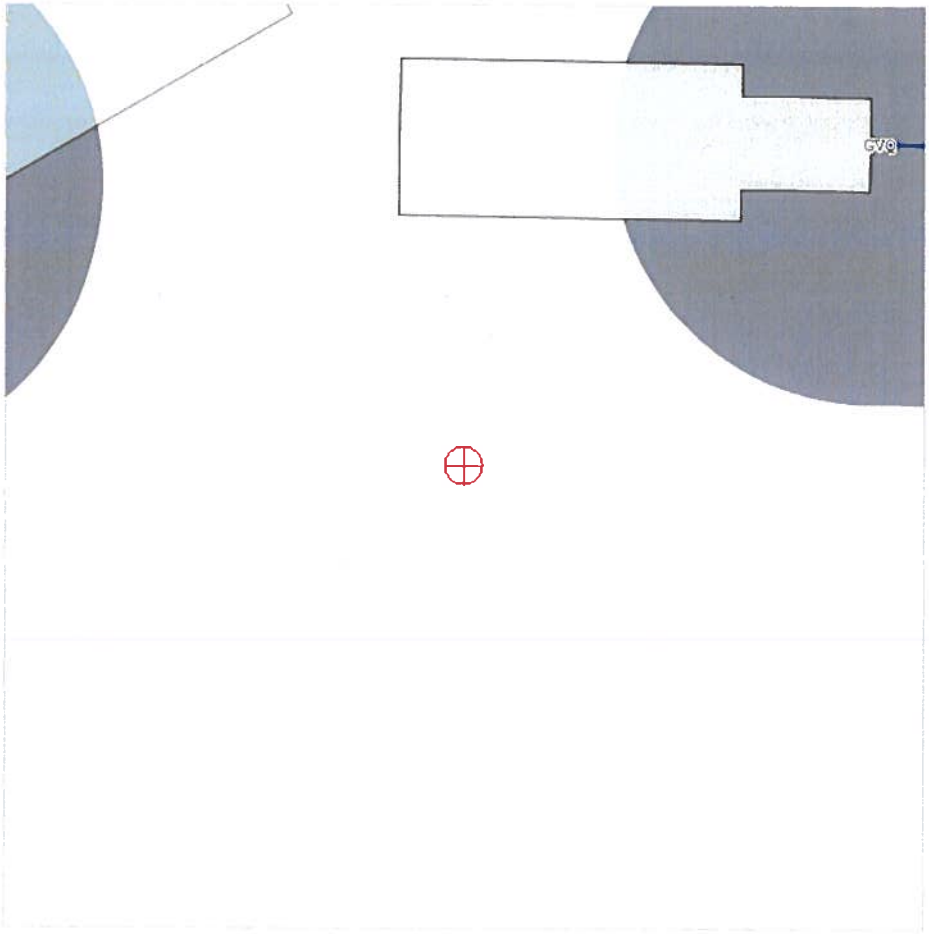
If you require additional information regarding the filing requirements for your structure, please identify and contact the appropriate FAA representative using the Air Traffic Areas of Responsibility map for Off Airport construction, or contact the FAA Airports Region / District Office for On Airport construction.

The tool below will assist in applying Part 77 Notice Criteria.

* **Structure Type:**	TOWER | Antenna Tower Please select structure type and complete location point information.
Latitude:	42 Deg 57 M 48.6 S N
Longitude:	78 Deg 17 M 51.4 S W
Horizontal Datum:	NAD83
Site Elevation (SE):	908 (nearest foot)
Structure Height :	158 (nearest foot)
Is structure on airport:	(●) No ( ) Yes

Results

You do not exceed Notice Criteria.


GVQ

Antenna Structure Registration

TOWAIR Determination Results

HELP

New Search Printable Page

*** NOTICE ***

TOWAIR's findings are not definitive or binding, and we cannot guarantee that the data in TOWAIR are fully current and accurate. In some instances, TOWAIR may yield results that differ from application of the criteria set out in 47 C.F.R. Section 17.7 and 14 C.F.R. Section 77.13. A positive finding by TOWAIR recommending notification should be given considerable weight. On the other hand, a finding by TOWAIR recommending either for or against notification is not conclusive. It is the responsibility of each ASR participant to exercise due diligence to determine if it must coordinate its structure with the FAA. TOWAIR is only one tool designed to assist ASR participants in exercising this due diligence, and further investigation may be necessary to determine if FAA coordination is appropriate.

DETERMINATION Results

Structure does not require registration. There are no airports within 8 kilometers (5 miles) of the coordinates you provided.

Your Specifications

NAD83 Coordinates	
Latitude	42-57-48.6 north
Longitude	078-17-51.4 west
Measurements (Meters)	
Overall Structure Height (AGL)	48.2
Support Structure Height (AGL)	46.9
Site Elevation (AMSL)	276.8
Structure Type	
MTOWER - Monopole	

Tower Construction Notifications
Notify Tribes and Historic Preservation Officers of your plans to build a tower.

ASR Help	FAQ - Online Help - Documentation - Technical Support
ASR Online Systems	TOWAIR- CORES - ASR Online Filing - Application Search - Registration Search
About ASR	Privacy Statement - About ASR - ASR Home

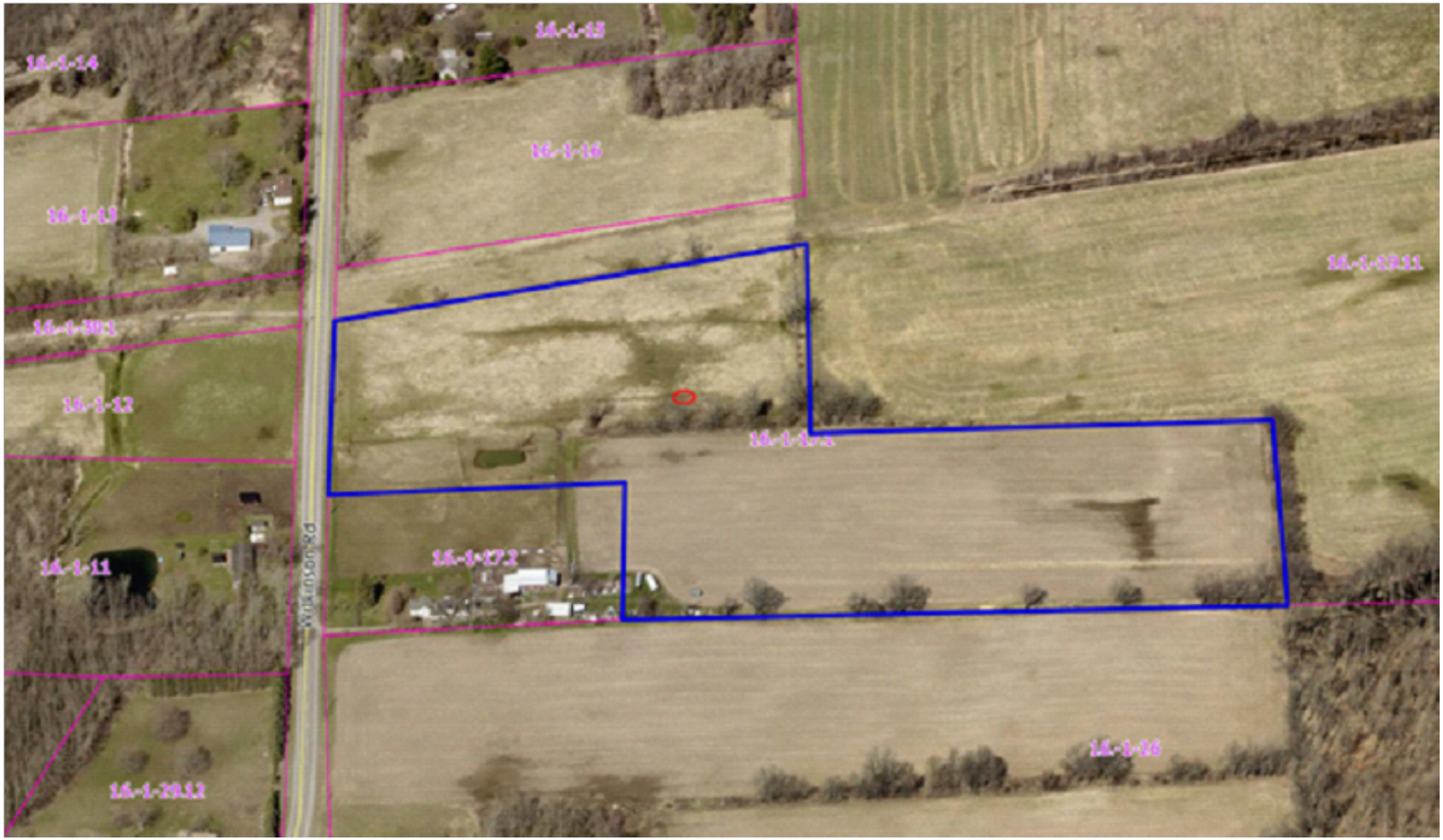
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Phone: 1-877-480-3201
TTY: 1-717-338-2824
Submit Help Request

EXHIBIT T

SITE PLAN REVIEW CHECKLIST		
Project Name: Wilkinson Rd. Verizon Tower		**Reviewed By: TWL**
Applicant Name: Jared Lusk		
Office Use	**Plan Components**	**Comments**
☐	Instrument Survey including Public Right-of-Way	Provided
☐	North Arrow, Scale, Title and Address	Provided
☐	Lot Coverage, Building Coverage and Open Space Percentage Table	Need to Provide (See Sheet VA100)
☐	Setback Dimensions for building and parking	Need to provide (See Sheet VA100)
☐	Building/Structure Details and Elevation Views	Provided
☐	Existing Natural and Topographical Features	Provided
☐	Wetland delineation or boundaries shown if on site	Provided No wetlands impacts
☐	Proposed Driveway/Roadway with dimensions and details	Need to provide Co. Hwy Driveway permit (application pending)
☐	Parking layout including aisles and queuing aisles with dimensions and number of spaces	Provided
☐	Snow storage location shown if parking more than 10 cars	Not required
☐	Drainage and Grading plans and details, use Town std.	Provided
☐	Utility Plan with appropriate details, use Town std. details for all wtr-swr improvements	Provided
☐	Ex. or Proposed Fire hydrants located per NYS Code	Not required
☐	Fire Dept. Access to all sides of buildings	Provided
☐	Lighting Plan with lighting contours and appropriate details	Not required. No proposed lighting
☐	Landscaping, Fencing and Screening Plan and details	Fence provided
☐	Pedestrian safety around building, curbing, sidewalks and ADA accessible ramps as necessary	Not required
☐	Profiles of roadway and utilities if applicable	Not applicable
☐	Appropriate notes to include topsoil to remain on site	Add topsoil notes to plans (See Sheet CA120)
☐	Trash Storage/ dumpster enclosure	Show if applicable
☐	Town of Batavia Signature Block on all site drawings	Add
☐	Engineering Report	Provided
☐	Traffic Study (if req'd) and traffic flow easily identified	Not applicable
☐	Water- Sewer Service Application	Not required
☐	Backflow report and Backflow checklist complete	Not required
☐	Ex. or Proposed Sign shown and Sign Permit Application	Not Required
☐	Driveway Permit Application	Provide Gen. Co. Driveway permit (application pending)
☐	Storm Water Pollution Prevention Plan	Not required, if less than 1 area total disturbance
☐	Storm Water Maintenance Agreement	Not applicable
☐	SEQRA Short or Long form part 1 or Envir. Impact Stat.	Provided SEQRA Long form part 1
☐	Smart Growth Review & Application if req'd	Not applicable
☐	Town Green Action Plan review	Not applicable
☐	Minor Subdivision Application if req'd	Not applicable

T-10-BAT-09-24



04/08/2023