

August 20<sup>th</sup>, 2025, at 6:30pm | 103 Main Street, Mount Morris NY

Present: Chairman Jim Patrick; Vice Chairwoman Brianna Rawleigh; Board Members Joel Clester, Phil Race, and Larry Woodworth; Secretary Kaylee Leone; Town Supervisor David DiSalvo; Town Code Enforcement Officer Shawn Grasby; Associate Steve Fantuzzo, Nixon Peabody; Aerospace Engineer Ken Cowley

CALL TO ORDER AND REVIEW OF MINUTES

Chairman Jim Patrick called the meeting to order at 6:30pm, and asked Larry Woodworth to lead the Pledge of Allegiance.

Chairman Patrick requested that the board review the minutes from the July 16<sup>th</sup>, 2025, Planning Board Meeting.

A motion to approve the July 16<sup>th</sup>, 2025, Planning Board meeting minutes was introduced by Joel Clester and seconded by Larry Woodworth, and was voted on by members as follows:

Aye: 5 (Clester, Patrick, Race, Rawleigh, Woodworth)

No: 0

Abstain: 0

The motion carried unanimously.

CONTINUED PUBLIC HEARING – VERIZON SITE PLAN, SPECIAL USE PERMIT

Moving to the continuation of Site Plan Review and Special Use Permit (SUP) for the Verizon Wireless project, Chair Patrick reported that neither the Town’s attorney nor the Town’s consulting engineer could attend, but counsel advised the Board to formally close the public hearing, issue a SEQR Negative Declaration, and hold final action until next month to close out any late-breaking items submitted in the week prior to the evening’s meeting. Steve Fantuzzo reminded the Board of the FCC’s 150-day “shot clock,” characterizing it as a soft deadline that can be extended by agreement; the Board agreed on the record that the shot clock would be extended to accommodate the scheduling sequence recommended by counsel.

Chair Patrick noted receipt of no-comment letters from the Fire Department and EMS.

A motion to close the public hearing for Bell Atlantic Mobile Systems LLC’s (d/b/a “Verizon”) Special Use Permit at 7586 Mount Morris – Nunda Road in the Town of Mount Morris was introduced by Phil Race and seconded by Brianna Rawleigh, and was voted on by members as follows:

Aye: 5 (Clester, Patrick, Race, Rawleigh, Woodworth)

No: 0

Abstain: 0

The motion carried unanimously.

A motion to adopt a Negative Declaration on the application’s SEQR was Phil Race and seconded by Brianna Rawleigh, and was voted on by members as follows:

Aye: 5 (Clester, Patrick, Race, Rawleigh, Woodworth)

No: 0

Abstain: 0

The motion carried unanimously.

**TOWN OF MOUNT MORRIS PLANNING BOARD**

**Resolution Issuing Negative Declaration for Proposed 7586 Mt. Morris-Nunda Road Telecommunications Facility**

**WHEREAS**, before the Town of Mount Morris Planning Board (the “Planning Board”) is an application to issue a Special Use Permit (“SUP”) and site plan approval to construct and operate a 160-ft. telecommunications tower (plus a 4-ft. lightning rod) on property located near 7586 Mount Morris Nunda Road (SBL. No. 144.-1-2) (the “Property”), together with accompanying improvements (the “Action”) proposed by Bell Atlantic Mobile Systems LLC (d/b/a “Verizon”) (the “Applicant”); and

**WHEREAS**, the Planning Board is the Lead Agency pursuant to the State Environmental Quality Review Act (“SEQRA”); and

**WHEREAS**, the Planning Board has determined that the Action is to be treated as a “Type I” action under SEQRA; and

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**WHEREAS**, the Planning Board has duly considered the Action, the Full Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c), the draft Negative Declaration, and such other information deemed appropriate; and

**WHEREAS**, the Planning Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination;

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Town of Mount Morris that:

1. Based upon a thorough review and examination of the known facts relating to the Action and its careful review of all potentially adverse environmental impacts, and the entire record and proceedings relating to the Action, the Planning Board finds that the Action will not have a significant adverse impact on the environment and that a draft environmental impact statement will not be prepared.
2. The attached negative declaration, incorporated herein by reference, is issued and adopted for the reasons stated in the attached negative declaration.
3. The Clerk of the Planning Board and/or other Planning Board personnel are hereby authorized and directed to distribute copies of the resolution as necessary.
4. This resolution is effective immediately.

**PASSED AND ADOPTED** this 20th day of August, 2025 by the Town of Mount Morris Planning Board.

Chairman Patrick stated that consistent with prior discussions and the written resolution, the applicant’s additional vegetation/screening requirements have been waived.

Chair Patrick asked about construction timing. Ken Cowley said work would likely begin in spring 2026, explaining that tree-clearing must occur between October 1 and April 1 due to bat-species restrictions; the applicant will complete EAF Part 2 and Department of Transportation matters after receipt of the Negative Declaration and before building permits are pulled. Vice Chair Rawleigh asked whether a change in conservation status (e.g., a species becoming critically endangered) between approval and construction would alter the project’s obligations. Fantuzzo said the likelihood of a mid-stream change affecting the permits is low, but agreed that the question should be confirmed, and Cowley committed to forwarding it to Sherman Gittens (Town engineer, MRB Group) and reporting back. Members and the applicant briefly noted that the site would address both coverage and capacity constraints observed in the area.

OTHER BUSINESS

Town Code Enforcement Officer Shawn Grasby reported an inquiry for a minor subdivision involving a portion of approximately 25 acres from a larger parcel. Chairman Patrick requested an update on the potential Erie Street solar project, to which Code Enforcement Officer Grasby and Supervisor DiSalvo noted no recent applicant contact and added that a previously discussed solar concept may be infeasible due to RG&E grid limitations in the area, which would require substantial applicant-funded upgrades.

Supervisor DiSalvo reported that an updated town-wide Noise Ordinance draft would be delivered for review, then forwarded to both the Town and County Planning Boards. When asked, Supervisor DiSalvo said he had not completed his review and therefore could not yet confirm whether it adopts village-style time-of-day controls or decibel-based thresholds. Members briefly discussed recent community complaints (music/disturbances) and how an enforceable standard would aid Sheriff response.

Town Code Enforcement Officer Grasby also noted wood-chip hauling activity from behind the dam to the Fiddler Road sand pit, which has prompted neighborhood calls, including concerns about spontaneous combustion of stockpiles based on prior incidents. He said the DEC is the permitting authority for storage/use at the pit and that the matter has been referred to DEC as a permit-compliance question. In response to a question about vehicles on Barron Road, Grasby reported issuing five violation notices related to a previously reviewed/rescinded SUP there.

Supervisor DiSalvo announced that Kaylee Leone has been hired as Code Clerk to support the Code Enforcement Officer with correspondence and enforcement workflow.

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Regarding the Village, Chair Patrick said he had spoken with the new Village Code Enforcement Officer concerning the Brick Inn bed and breakfast and ownership transition. Members discussed Village code requirements regarding owner-occupancy for B&B use, and that the Zoning Board of Appeals had previously provided interpretation guidance on the matter. Town Code Enforcement Officer Grasby added that SUPs run with the land unless otherwise specified.

Secretary Kaylee Leone reminded members of the upcoming Livingston County Agricultural Tour in October, continuing to say that the Town will cover registration fees with a receipt. Leone reported that the Town’s Comprehensive Zoning Committee finalized a draft update to the Town’s dog law that updates licensing, care, breeding frequency/age limits, kennel standards, and related definitions. Secretary Leone explained that this draft will be submitted to the Town Board, then forwarded to County Planning, and ultimately returned to the Town Planning Board for recommendation.

ADJOURNMENT

With no further business to discuss, a motion to adjourn was introduced by Larry Woodworth and seconded by Joel Clester, and was voted on by members as follows:

Aye: 5 (Clester, Patrick, Race, Rawleigh, Woodworth)

No: 0

Abstain: 0

The motion carried unanimously.

The next regularly scheduled Planning Board meeting is set for Wednesday, September 17<sup>th</sup>, 2025.

Respectfully submitted,

Kaylee R. Leone  
Planning Board Secretary